



**FSJ**

**FOREIGN SERVICE JOURNAL**

DECEMBER 1976

60 CENTS

THE DAY THE EARTH SHOOK

by Russell D. Rosene

CONGRESS, THE EXECUTIVE AND HUMAN  
RIGHTS LEGISLATION

by Donald C. Johnson



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# FSJ

## FOREIGN SERVICE JOURNAL

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### OPEN LETTER TO THE PRESIDENT-ELECT

On behalf of the American Foreign Service Association, and at the direction of its Governing Board, I am writing to congratulate you on your election.

For more than 50 years our Association has been the principal professional representative of Foreign Service people. And under Executive Order 11636 (Employee-Management Relations in the Foreign Service of the United States of America) we are the elected representative of the Foreign Service in the Department of State and the Agency for International Development. In that capacity we participate in consultations with management on personnel policies and working conditions.

Historians tell us that successive Presidents have taken office with a distrust for the career Foreign Service, believing it to be stuffed with holdovers from the previous Administration who want to make him look bad, and mandarins who regard him as an interloper in foreign policy matters. In fact, the Foreign Service which we represent is a non-partisan professional cadre that works for only one President at a time, fully recognizes his or her primacy in foreign policy, and has served successive Presidents and Secretaries of State as a motivated and disciplined force for implementing national policy.

The Association enthusiastically welcomes your repeated declarations that Presidential diplomatic appointments must be based on merit. While we fully appreciate the contributions of certain distinguished non-career diplomats, we have long opposed politically-motivated appointments of non-career incompetents, and we have enough self-confidence to believe that in a competition based on merit, the Foreign Service can produce winners most of the time. We look forward to developing, with your transition team and other interested persons and organizations, criteria for such appointments and procedures for evaluating potential Presidential nominees.

The Association is also impressed with your systematic approach to the organization of the federal government, and we believe we may be able to make a useful contribution to a review of our foreign policy bureaucratic structures. We have noted your practice of seeking information and advice from all responsible sources before making up your mind, and have for many years strongly supported the maintenance of institutions whereby the President can receive the best possible information and advice from the Foreign Service, including alternative views.

As exclusive employee representative for the State and AID Foreign Service, we have many matters to raise with you. For example, we hope that you will authorize a review of our policy toward terrorists who kidnap American diplomats, and the governments who support or provide sanctuary to these terrorists. We hope that AID Foreign Service will be given a permanent career status commensurate with that of their State and USIA colleagues, and with the long-term nature of the international development challenge facing the United States.

We earnestly hope that we can avoid the traditional phase of suspicion between new Presidents and the career Foreign Service, and make a smooth transition to a productive relationship which serves the national interest. For this purpose, the Association has established a Transition Task Force which will be available to work with your transition officials in any manner you may desire.

The AFSA membership, loyal to the Association throughout its long leadership crisis, has expressed itself decisively to resolve that crisis.

The remaining months of the Governing Board's term, until July 1977, are important ones for all of us, and the advent of a new Administration offers us an opportunity to push for Foreign Service pay comparability with the Civil Service and private sector, ambassadorial appointments on the basis of merit and elimination of politically motivated abuses of lateral entry, and full career status for AID Foreign Service personnel. A unified Governing Board and its Committees can press more effectively on such issues as due process in suitability criteria and disciplinary procedures, better promotion and career opportunities for secretaries and communicators, fairer and more rational policies on tours of duty, and a more meaningful life overseas for spouses and dependents.

Nevertheless, our effectiveness depends also on greater support from the Foreign Service. Over the past year, the loss of the USIA representation election, and our highly publicized internal difficulties have led to a steady attrition in our Membership. The decline in our State and AID membership means that each constituency will have one less Representative to elect in next year's Board elections. Today we represent only about one-third of active-duty Foreign Service people, yet we bear the entire burden of representation of Foreign Service professional and employee interests; and while all Foreign Service people have the right not to join AFSA, we know of none who has turned down any of the benefits which we have negotiated for them.

We are entering the most important membership drive in our organization's history. We strongly urge all Members to persuade at least one Foreign Service colleague to join us, to share in the burden and responsibility of collective action for the good of our professions and our careers.

### AMBASSADORIAL APPOINTMENTS

"For many years in the State Department we have chosen from among almost 16,000 applicants about 110 of our nation's finest young leaders to represent us in the international world. But we top this off with the disgraceful and counterproductive policy of appointing unqualified persons to major diplomatic posts as political payoffs. This must be stopped immediately." — Jimmy Carter, *Why Not The Best?* page 169.

AFSA warmly seconds the views of the President-elect and proposes the following reforms to effect the needed overhaul of the ambassadorial selection process:

- A non-partisan advisory panel, patterned on the American Bar Association's Committee on the Federal Judiciary, should examine the credentials of ambassadorial nominees—career as well as non-career.
- The President, as part of the standard nomination process, should inform the Senate Foreign Relations Committee what special foreign affairs qualifications and skills a proposed political appointee would bring to the assignment.
- Congress and the Executive Branch should agree on guidelines to limit appointment of non-career ambassadors to ten per cent globally and fifteen per cent in any geographic region.

The report of the AFSA Committee on Presidential Appointments can be found elsewhere in this issue of the *Foreign Service Journal*.

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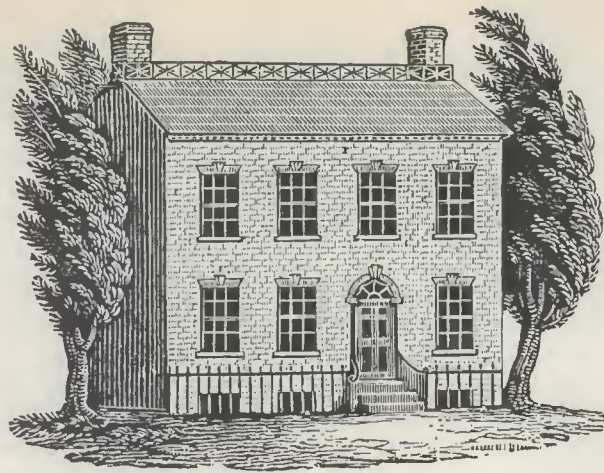
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nously, shattering the happy silence. "Hello," Bob said, "Yes, yes, I'll be right over." and then, turning to me: "I'll have to go over to the Embassy, but not for long. Don't worry, hon. I'll be right back." He slipped into his overcoat, picked up his hat and disappeared into the fog.

The presents were wrapped, the turkey was ready for the oven, the last Christmas card had been hung up. I draped garlands of shiny English holly around the mantle-piece and stuffed the children's stockings and then, there being nothing else I could do by myself, I sat and waited. The first hour dragged by slowly. I finally turned on the radio—very low. The voices of the choir of Christ Chapel, Cambridge, came on clear and lovely with all the angelic purity one expects of Christmas music. I must have fallen asleep, however, for the next thing I knew I was sitting up and rubbing my eyes to the tune of "God Rest Ye Merry Gentlemen" while the phone rang and rang a few yards away. I glanced swiftly at my watch before picking up the receiver: 3:30 a.m.!! What on earth? "Just one of those things," Bob's voice said, "Immigration has cleared him until tomorrow morning providing I guarantee he spends the night with us. It's been difficult but I guess it's just one of those Christmas miracles. We should be home shortly." I put down the phone slowly. Was this still part of a dream? Who was "he?" And why should "he" be coming to "us" on such a night as this?

It wasn't long before he was standing before me, a delightful chubby little old man, and Bob was introducing him and explaining. I've forgotten now whether he was from Seattle or New Orleans or Boston—it doesn't really

matter, does it?—but he had come to spend Christmas as he did every year, with dear English friends, and he had been traveling happily on an old 1920 passport he had brought by mistake. The more I think about it the more convinced I am he must have been Santa Claus or he would never have had immigration officers stamp the old passport without a question in Spain and France and Belgium. In England his luck had turned—or had it? I wondered as I saw him deftly hang a large red ball on the tree Bob had finally put up, as I heard him chuckle while piling three gaily wrapped boxes one on top of the other. Mr. Santa Claus refused to go to bed and added a very welcome pair of hands to our team, and yet, dawn came while we were still at it, sweeping away the inevitable debris, putting the finishing touches to the Christmas decorations.

I made coffee for the men and tidied myself up a bit. The fog had rolled away leaving just a nice misty English Christmas morning. "Goodbye," Mr. Santa Claus said, "Merry Christmas and may God bless you and thank you in a way I cannot do." He stood in the doorway with Bob and winked at him slyly: "I guess it's time you took me back to the Embassy for the next duty officer to have me permanently cleared. Funny sort of life the Foreign Service. It's certainly been a *service* as far as I'm concerned, tonight."

The door closed on both of them and as I turned I heard an excited little voice coming out of the boys' room. "Well, anyway," it said, "I've heard him now. He was talking to Mommie and he said: 'Merry Christmas and God bless you.'" 

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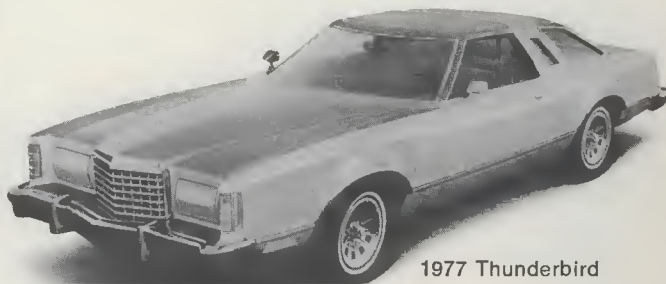
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# SUSHI, TENPURA, MIZUZUKI... and other delectables

PATRICIA G. ERICKSON

"East is East, and West is West," is still true—believe me—especially when eating out in the fascinating and exotic city of Kyoto, Japan. There are advertisements galore for restaurants in the various hotel magazines, but how does one choose? Unfortunately, most Westerners in Japan are among the illiterate—they can't read those charming, attractive, but completely incomprehensible signs, which tell everyone else whether the restaurant they are contemplating specializes in tempura (deep-fried fish and vegetables), sukiyaki (thin-sliced beef and vegetables sauteed in soy sauce), soba (buckwheat noodles with different ingredients), sushi (raw fish in many guises), yakitori (chicken parts broiled over charcoal and served on a stick), or even whether it is

a Japanese-style steak place. So it is very helpful—and you might even say absolutely necessary—to have a friend who will show you around. Let me play "devil's advocate" and tell you about three of my favorite places to eat in Kyoto.

My first choice is rather expensive these days—alas. Nevertheless, it's worth the splurge since this is one of Kyoto's outstanding restaurants. I was first taken there twenty-odd years ago at a time it was little-known to foreigners. Today, it is well advertised but there is little word of warning about the price or the difference between the traditional building and the rather garish annex. JUNIDANYA, located at Gion Hanamikoji (Tel.: 561-0213), can be translated to mean, "The inn of the 12 steps." The original, typically Kyoto-style building is a treasure-house of Japanese folk art crafts. You will see pottery by famous artisans, hand-dyed materials in the traditional country navy and white patterns, hand-made

*(Continued on page 29)*

Patricia Erickson, wife of FSO Elden B. Erickson, freelances travel and food articles. The Ericksons, now in Ottawa, served in Kobe-Osaka in the early '60s and visited Japan and other parts of the Far East this past summer.

*"The last thing one knows. . .  
is what to put first"* Pascal

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"And if I should lose, let me stand by the road  
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# The Track Man

LUCIEN D. AGNIEL

My son was watching me from the corner of his eye and he wasn't saying a word, and he kept twisting that old baseball cap in his big, blunt-fingered hands and from all of this I knew he wanted something. It was a muggy March morning in the nineteenth month of my tour of duty with the United States Information Agency in Gruana, a tour which had seen him transformed from a compact little boy into a lean and self-sufficient twelve-year-old.

He had breakfasted earlier and although the school bus was due in a few minutes he knew enough about timing to wait for me to have that first sip of coffee. Like a good hunter, he was patient.

"Dad," he finally began, a little too loudly, "I want to go out for junior high track. They want me to run the 440. I think I can do it and so does the coach. Do you think I can? After all, you were a miler."

He had thought it all out carefully and the grinding cadence of the three electric fans couldn't divert me from the problem nor the decision. I had not wanted Chris to be a runner and this was a natural reaction to my own father's zeal in making me a miler after *his* image. I still hate my memories of the mile—the commitment of competition, the supreme physical effort, and afterwards the nausea and faintness. I would have spared him that, yet here it was—after all, Dad, *you* were a miler—and I was depressed by the sameness of different problems through three generations.

He wasn't pushing me. Instead

he tortured the baseball cap with his hands, once in a while shifting his weight from one size eleven foot to the other. He knew how to wait.

"Sit down, Chris," I said. "If you miss the bus, I'll drive you to school."

Carefully he deposited the five-foot, eight-inch frame in the wicker chair across from me. Above the table, three flies, already listless from the premature onset of the hot season, idled on the perimeter of the swirling air currents and these he watched while I mentally marshaled my arguments.

Persuasively, it seemed to me, I told him he should stick to baseball and basketball in which he had shown promise and put off running until he was a little older. I told him about my father and how I had wanted so much to please him that I kept running even though I hated it and was sick after every race.

"But you were good, Dad. You ran a four-oh-eight mile when the world's record was only a couple of seconds less. You won a lot. Mom told me, and I've seen your scrap book and those big silver cups they gave you. I want you to be proud of me, too."

"I am proud of you, Chris. I don't want you to run to please me or to win cups. I'd be pleased if you didn't run. It's hard on a growing boy. Right now you need plenty of rest. Especially in this climate. You need to gain weight while you're growing, not run it off in the 440. That's one of the toughest races going."

He listened patiently, the baseball cap in his lap now, the big hands covering the worn knees of the blue jeans and I was struck by the geometrical figure he presented, arms, legs, back and elbows forming sharp angles, like a

penknife with all its blades open.

"I'm a good runner, Dad," he said after a suitable pause. "I can beat all the guys in my class. I'd really like to try the 440. There's going to be a track meet at the Gruanese army stadium next month. Our school will be running against two Gruanese teams. I want you to come and see me. You'd get a kick out of it, Dad."

I never cease to be amazed at the deference my son can show when he wants something, and now he blended it with a certain veiled determination. "The junior high team will be picked from eighth, ninth and tenth grades," he added.

"Yes, and you as a 12-year-old eighth grader would probably be the youngest boy in the 440."

"That doesn't matter," he said, moving in for the kill. "Somebody has to be the youngest, Dad. The coach says I've got a real good stride and if I train for it I can do pretty good."

"Pretty well," I said absently, watching the flies.

"Pretty well," he agreed, always ready to compromise on the inconsequential.

"What does your mother say?" It was a lame and mealy-mouthed question and I was aware I had wavered and now stood irresolute, seconds away from full, disordered retreat.

The young neck inclined slightly forward, like a hawk's before the dive on an unsuspecting quarry, and the palms of his hands slid forward on his knee caps. "Whatever you say is okay with her, Dad."

I didn't want him to think it was *that* easy, so I lit a cigar before I reluctantly conceded it would be all right to go out for the 440.

He was gracious enough not to exult over it. All he said was thanks a lot, and then he got up, bent over

Lucien D. Agniel has served as a newspaper editor, program director with Radio Free Europe, associate editor of a newsmagazine and as government information officer for ECA and USIA.

my chair and kissed me on the cheek. It was a moist, childish kiss and I wondered how much longer this burgeoning giant would favor me with such open displays of affection. As the fans dried the moistness, I tried to rationalize everything by telling myself it would have been just as wrong for me to prevent his running as my father had been in urging me to compete. And then I considered the possibility my father had been right in pushing me and that I was wrong in letting Chris run in the heart of Gruana. That's the thing that gets me most about being a father. You never lose your amateur standing.

For the next three weeks Chris trained after school for the 440. I talked to his coach at the American School for Dependents of military and civilian US personnel. He was a grizzled sergeant who had run for Brutus Hamilton at California. That relieved me a lot. The sergeant was conducting a careful and intelligent training program for the 30 boys who had answered the junior high track call. Watching them go through their paces it seemed unlikely to me that Chris would be chosen to run for the school. There were just too many older and larger boys. I was wrong.

Two nights before the meet at Nantai, the Gruanese capital, sweltered in a heat wave which had reduced my wife and me to the utterly foreign habit of monosyllabic exchanges, Chris burst in so filled with news that he accidentally knocked over and shattered one of Myra's precious Gruanese vases.

Myra's wail almost drowned out our son's frenetic report, delivered with much arm-waving, that he had been chosen as one of two runners to represent the junior high against the two Gruanese schools in the 440. In spite of my earlier reluctance, I was proud and so was Myra after remarking in a low voice she hoped that one day Chris would be able to walk among his fellow men without leaving bruises.

I changed the subject to say what an accomplishment it was for Chris to be in the race at all, and then he electrified us by calmly announcing he expected to win it.

"Just a minute, Chris," I said. "How many will be in the race?"

"Six. Two from each school."

"How many eighth graders?"

"Just me. Our other guy is a

tenth grader."

"How about the Gruanese?"

"I think I can take them."

"Ever see them run?"

"Nah."

"Say no sir to your father,"

Myra prompted automatically.

"No sir, I never saw them run."

"How old are they?"

"Oh, fourteen, fifteen."

"Just like that, you're going to beat five guys two to three years older than you in a race you've never run before."

"You just come and see."

"You just go to bed, young man," Myra said. "It's after nine o'clock."

"Okay," he said, resigned to our lack of faith and when he stood up he looked helpless, the long arms sprouting from his sleeves, and the pants to his good summer suit, already twice let down, riding a good two inches above his ankles.

"You must not count on winning, Chris. The others are older and have more experience and stamina. You'll be disappointed," and I couldn't help comparing his easy confidence with the agonizing doubts that assailed me before each race years ago.

Maybe he sensed this. After kissing first his mother and then me good night, he turned back to me. "I'm in shape, Dad. I'm going to get out in front and just stay there. I'll win." Then he went off to bed. Instinctively I touched the moist reminder of my son's affection on my cheek.

"I know you," Myra said. "You're worried. He doesn't know it yet but Dr. Calvert is coming by here in the morning to give him a thorough going over."

I agreed this was a good idea but next morning when the doctor arrived there was hell to pay. Chris regarded any attention from a physician as an invasion of privacy. At a time when he was in no way ill it seemed an outrage. But Dr. Calvert, a good friend and a US Navy Commander based in Nantai, did a firm job with Chris.

"You ought to be glad your parents want to make sure you're in condition to run," he said, as he thumped him with the stethoscope, "so just shut your trap. No, open it and breathe through your mouth."

A few minutes later, Dr. Calvert announced that apart from talking too much, there was absolutely

nothing wrong with Chris, and he amplified this over a cup of coffee before moving off to his 8 to 5 day in the Navy dispensary. "The kid is lean," he said, "but strong as a bull."

The track meet day dawned hot and breathless. I had slept badly after snapping at Myra who found it expedient to remind me that it was not I who was running the 440. Chris had a cup of thin soup at 11 and I drove him and Myra to the stadium at noon.

The Gruanese army stadium is on the very edge of Nantai, a shapeless concrete grandstand just a minute's drive from the capital's airport. Gruanese jets slice up the sky daily as they patrol the landlocked borders of the tiny Asian kingdom and big transports drone overhead only seconds away from the runways. Incongruously, the more immediate surroundings are from another age—rice paddies, quacking geese, oxen and patient, toiling farmers.

In Nantai, where even a flat tire draws a crowd, this east-west track meet, advertised only by word of mouth, had almost filled the 30,000-capacity stadium when a MAAG captain, serving as official starter, got the meet underway. The three judges were Gruanese, athletes from the royal army. In one way or another, partially by design and partially by habit, everything in Gruana tends to become a display of Gruanese-American amity. As the United States Information Agency press officer, I would play my role in the game by dutifully reporting on this further bit of evidence of Gruanese-American friendship.

The meet moved along at a steady tempo. The American school won the 100 and 220-yard dashes while the Gruanese took the high jump, discus and shot put. Our boys won again in the mile relay, but lost the javelin and the 880. It continued in this vein until the final event, the 440-yard dash, was called. Then the GI on the public address system and his Gruanese counterpart gave us the bilingual word: The American School and the Wampo Academy were tied with 32 points each; in third place was the Gruanese army school with 30 points. Clearly enough, the outcome of the 440 would determine the winner of the meet.

"It's a lot of pressure on him," Myra said as our son peeled out of his warmup suit. "You had better go down and talk to him."

He looked fit in his brief blue shorts, shirt and track shoes as I walked down the stadium steps and up to the very edge of the cinder track. "Good luck, Chris. Just run your race and don't worry about the outcome."

"I'm ready, I'll win."

"Okay, win then," and I slapped him on his lean rear and went back to Myra.

"He looks sort of small out there," Myra said, and she edged closer to me and took my arm.

"Yeah, but he sounds mighty big. We'll just have to see what happens."

On the draw, Chris got the inside position. He stood there flexing the muscles in his arms, seeking us out with his eyes, the while wearing that small fixed smile which masks whatever he really feels, and when he found us he made a jaunty jabbing gesture with his right thumb. I might as well have been running against myself. My stomach didn't know I wasn't.

Then they lined up, all alert and lean in the shimmering heat. Chris looked tense, one bony shoulder thrust forward and his fingers doubled into fists. He didn't look our way again. Under my breath I was saying relax, relax, relax and I jumped when the gun cracked.

They got off in a bunch and from my position I couldn't see how Chris fared on the break because he was on the infield side. Now that they were actually underway I watched the receding runners with a certain passivity. Chris was on his own and beyond my help. Then, too, the silent Gruanese crowd contributed to my feeling of calm. Heat and time had taught the natives not to expend effort unnecessarily and the occasional cheer or word of encouragement from an American spectator inevitably attracted noncommittal stares.

It was a 220-yard elliptical track and by the time the runners hit the first turn Chris was on top by two yards and Huang Fargo from the Wampo Academy was an effortless second. The others were strung out behind. Down the back stretch Chris widened his lead to about eight yards. He was running his race all right. I couldn't decide

whether to cry or shout. So I blew my nose instead. By that time I had begun to believe he might really bring it off.

Chris runs slightly bent forward at the waist, arms swinging in a natural economy, and when he came past the starting position which marked the first half of the race I could see he was breathing evenly. By then Huang Fargo was about 15 yards back and the others were well out of it. It stayed that

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"Then at last there  
seemed to be some  
kind of truce and,  
all smiles, they  
approached the  
American captain.  
With much deference  
and in great detail,  
the Gruanese position  
was explained, to  
the growing horror  
of the starter."

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way into the second back stretch and then Huang made his move. In scant seconds he ate up all but a few yards of our boy's lead. I knew from experience that Chris could hear those spikes chewing the cinders behind him and at the last turn he looked over his shoulder into the yellow face of the challenger.

At this juncture the Gruanese made their presence felt. It wasn't a cheer in any western sense. It could only be described as a vast, aspirate sigh, like the winds in the rice paddies before a typhoon. It welled up from the faces surrounding the track and it rolled down from the faces in the stadium. It was an old world challenge to the new, a kind of mass consciousness of east overtaking west.

But Chris wasn't ready to quit. From some inner reserve he mustered an extra effort and in the straightaway he matched the Wampo boy's accelerated pace. Into that last torturous hundred yards he clung to his scant lead. Fifty yards from home he was still on top by half a step and I bolted from my stadium seat to join him at the finish line. By this time both boys were spent, going full out on

animal courage with stride, pace and method forgotten. As they reached the tape it looked to me as if Chris had won by inches.

I grabbed him and draped one of his arms around my shoulders and walked him on the infield as the big sigh subsided. And a strange stillness descended over the stadium and the human sounds were obliterated in the humidity which reclaimed the day.

Chris walked on wobbly legs until his breathing became more normal and then he gave me his thin-lipped, cocky grin and reminded me all along he'd said he could win it.

"Did you feel the tape on your chest?"

He nodded. Then I saw the white spots in his cheeks and I knew what was coming but I didn't say anything until he suddenly stopped walking.

"Dad, I'm sick."

"Keep walking and it will pass," and I turned him toward the infield because nobobdy likes to be watched when he's sick and when he began to retch I held his head. Then we walked some more and finally the color returned to his face.

We kept walking and as we turned back to the finish line I could see the Gruanese judges in heated argument. Like most Gruanese arguments it was noisy—with all three judges talking at once. The MAAG Captain, serving as starter, was standing on the edge of it, nervously awaiting the verdict. "They can't decide who won," he confided. "One judge voted for Chris, another for the Wampo boy and the third thinks it was a dead heat."

"I won," Chris said and for a second I thought he'd be sick again.

"It was close," the starter said, "Very close."

"I felt the tape break," my son said. "I broke it."

"I'm not so sure," the starter said, looking away. "Anyhow, whatever they say goes."

We must have stood there five minutes, listening to the whine of the jets overhead and watching the Gruanese judges wave their arms and chatter at one another. Then at last there seemed to be some kind of truce and all smiles, they approached the American captain.

*Continued on page 27*

"With hue like that when some great painter dips  
His pencil in the gloom of earthquake and eclipse." — Percy Bysshe Shelley

**THREE A.M.:** We were jolted awake by a terrible rumbling in the black night. The solid stone guest-house we were in pulsed ominously, undulating in spasms that wouldn't stop. My wife yelled "It's an earthquake!"

The roaring tapered off as we reached the garden, steps away. The guest-house stood as before, undamaged. From across the road came strange plopping sounds, like heavy roof tiles smashing on hard pavement. The only light was from cold stars glittering across the clear winter sky. Down a distant mountain slope boulders tumbled. Then silence.

It was a stunned, unbelieving silence. Then neighborhood dogs started barking. Our slumbering resort village was coming alive again.

I raced barefooted to Helen's window. "Are you all right?"

"Yes!" came her frightened reply. Moments later our American hostess joined us outside. "We've never had a shake that bad!" For nearly a decade Helen had made Panajachel her home. Now she voiced worries about Guatemala's Indian population in nearby highlands, endangered by traditional tile roofs and adobe walls. February nights were too chilly to go unsheltered.

Candles alight, my wife and I reentered Helen's guesthouse for warmer clothing. The shaking rumbled again, and we fled. What if bigger jolts strike while we're inside?

Now we were joined by two Guatemalan doctors, Helen's neighbors. One carried a radio, crackling with static. "I can't get Guatemala City," he said. "Even the all-night stations seem to be off." It was not much after 3 A.M.

Anxious thoughts in connection

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*Russell D. Rosene served as field director of volunteer services in Guatemala from 1961 to 1964 and with the Peace Corps in Santiago later. He was United Nations Relief Coordination Officer at the time of the February 4 earthquake in Guatemala.*

# THE DAY THE EARTH SHOOK

RUSSELL D. ROSENE

with my United Nations job now assailed us. For more than a year I'd been working exclusively in disaster relief assignments. The previous February we had been in Honduras, where I spent five months as Relief Coordination Officer for UNICEF/UNDRO following Hurricane Fifi. Then we'd gone to Geneva on special assignment at UNDRO's Palais des Nations headquarters. Now we were vacationing in Central America, en route to our home in California.

"Won't they be expecting you to contact them?" My wife asked. We both knew the implications: to contact Geneva meant returning to

Guatemala City, cutting short this visit, ending the vacation we had barely started.

"If this earthquake's done serious harm, yes." With no telephones, no radio reports, how could we know? We would have to see for ourselves.

**MORNING:** Aftershocks kept recurring. With each we fled Helen's cozy fireplace till the long night turned into day. A last look around Panajachel showed the shoreline of its delta strangely altered. The beach where in darkness my headlights had revealed but a black void now displayed a startling dropoff. The spot where only yesterday we'd sunned ourselves today lay under water. The pool at a tourist hotel, along with half its formal garden, had split cleanly down the middle and dropped into the lake. A mature date palm floated forlornly in calm water. Much later we learned that two occupants of a bus parked overnight on the beach had drowned.

Ascending the twisting narrow pavement to Sololá, we saw no cars, no people, only serene water shimmering far below, ancient volcanos opposite towering spectacularly. All seemed peaceful. Damage visible at Sololá appeared but superficial, as at Panajachel. We hastened to Los Encuentros and the Pan-American Highway itself, on the crest where green slopes fall away on both sides. At the *gasolinera* we made inquiries.

"Forget it!" a patron advised. "You can't get through. I tried but the highway's blocked by landslides fifty kilometers ahead."

We'd seen no oncoming traffic. "Obviously he's right," I told my wife, "But I still want to see it for myself!"

We pushed on in solitude. The sky was strange. Down where the old Patzún-Patziciá road more or less paralleled our route it didn't look right. "I wonder why it's so opaque?" I speculated. Had the twin volcanos guarding the old colonial capital of Antigua again

erupted? We felt uneasy.

The absence of foot traffic increased our uneasiness. Despite mountainous terrain this was populous country, extensively cultivated. Scattered over nearby slopes we made out familiar little *caserios*, tiny clusters of native housing. At first glance nothing seemed amiss; a second look and we'd glimpse a roof caved in, or a fallen wall, far off.

At last, threading a series of curves through deep rocky cuts, we came to the slide—and to a line of vehicles before us waiting to get through. Tons of debris had slipped and filled the roadway, pavement vanishing far beneath. Then we heard a sound to spark hope: the welcome chug and roar of a bulldozer. Someone was attempting to cut a channel through. It was the only highway equipment we were to see all day.

Another aftershock rumbled as we waited, but the slopes above stayed put. In less than an hour a passage was opened; we went through—only to be halted again by another roadcut, another slide. This time it was conquered by a few drivers at the head of the line joining forces to move rocks aside.

Slides now became more numerous, pavement extensively cracked and rippled. Tremendous forces had slashed through these mountains in the *madrugada*, scarcely eight hours before. Our lead cars, contriving passage around each slide, were obviously the first vehicles to move into the area. We descended at last into open country for the dash below Tecpán, believing the worst was now behind us.

The absence of radio signals, of oncoming traffic, still worried us. So did the leveled buildings now coming into view: a fallen gas-station canopy here, a demolished roadside restaurant there. We rounded a bend and suddenly saw ahead what was blocking the Pan-Am. Our hearts sank. Good grief—where was the road?

A sweeping upcurve disappeared beneath a slide so immense we could not believe our eyes. The entire face of a volcanic-ash escarpment had tumbled across the shelving highway into meadows far below. We drove as near as we could and stepped out, awestruck. There was nothing for us here but eerie silence—and the certain

knowledge that the Pan American Highway was impassable.

**MID-DAY:** My wife pointed to swirls of dust on an unpaved side road leading up a wooded valley northeastward. Vehicles with which we had so recently been in convoy now disappeared up that dusty track.

"Comalapa!" I realized. For having lived in Guatemala years before I remembered an Indian town of over ten thousand inhabitants, known for excellent weaving, that lay off our route. Though connected to the Pan-Am only by dirt roads, they were at least passable. Passable? How could any of us know without trying!

Into choking dust we followed, on a road so narrow I saw little possibility of turning back, should we need to. The collective choice made at the Tecpán slide seemed irreversible; we were committed.

Slowly we groped along, through forests and cornfields, valleys and slopes. We halted frequently for slides; with careful study and tricky maneuvering each was made passable. The worst slide came on a steep grade at a switchback. By pure chance the grade was downhill, not up!

At our first halt we discerned words across the back of the small imported pickup truck ahead that made us wince: *recien casados*—just married! "That's one honeymoon that'll never be forgotten," my wife commented wryly. With these unknown newlyweds, as with all others in this impromptu convoy, we now shared a common fate, for better or for worse.

At last the land leveled out, giving views of far-off horizons—all except southward, where ridges and trees vanished into that sinister opaqueness that troubled us. Then we halted again. We sat motionless, speculating on why we'd stopped. We were not in danger, at least, should new earthquakes strike. The reality came almost as soon as the thought. Our car suddenly leaped, as though grown men had jumped unseen on its bumper and bounced it up and down. The imported pickup plunged insanely on its springs. Thick dusty clouds swirled up from unseen drop-offs beyond nearby pines, and at that moment we realized what was wrong with the southern sky. That

once fierce tremor had raised a new pall of dust, to reinforce the opacity already there. Rich volcanic soils of Guatemala's central highlands were being pulverized and thrown aloft before our eyes, with each new aftershock.

Slowly, hesitatingly, the column moved, stopped, moved again. We rounded a bend and came to the first houses of Comalapa, or what was left of them. One had fallen completely across the road, its adobe blocks strewn like crumbled dominos. The first cars trying to bypass this wreckage had taken to the ditch and become mired. Others now climbed up and over the rubble itself, beating a pathway through jagged blocks with their wheels.

Worried by our low clearance I double-clutched into first, anxious neither to forfeit momentum nor bounce through too rapidly. Over we went, scraping the high center, and from the vantage point atop we caught a hellish downslope glimpse into disaster, stretching all through the town before us.

It was hard to believe the sea of ruins through which our alien procession now picked its way. Here jutted a wall, there a doorframe, like lonely monuments to certain tragedy. How many bodies beneath these collapsed roofs, these broken walls? How many still clinging to life, perhaps, desperate for medical attention that hadn't come?

Shocked, we moved along by slow stages amid groups of townspeople pulling at heaps of rubble, apparently to rescue those still to be rescued, or salvage that still to be salvaged. I asked one man how many had been killed.

He gestured to the remains of a house behind him: "Three in here." To the wreckage of a house across the narrow street: "Two over there." To a clustered ruin above us on a little rise of land: "Seven up there." With a despondent wave of the hand as if to encompass all of Comalapa: "*Mucha gente, señor.*"

Had help arrived? No. All the lines were down, electric power off. Was the road to Zaragoza—our intended route to the Pan-Am—still passable? He didn't think so. Ours were the first cars to enter Comalapa that day.

The obstacle path along which we worked our way had once been

a cobbled street between solid lines of one story buildings. Now virtually all of them lay devastated, but for those few made of stronger stuff than adobe. Halts became longer, intervals of moving shorter. I looked at my watch. It was after two.

**AFTERNOON:** On each side of us streams of silent foot traffic went by, all heavily burdened. Seeing a pine box borne aloft on the shoulders of two grieving Indians I realized the burdens everyone carried so silently were dead bodies, and the direction in which we traveled was that of the town's cemetery. I began counting: some wrapped, some boxed, others rolled in blankets. I reached fifty or sixty before we'd moved the length of a city block. It told me all I needed to know. That a major disaster had struck Guatemala on this Wednesday the 4th of February was now inescapable.

"We've got to reach Chimaltenango," I said, hoping we could at least make it to the departmental capital, still ahead of us. "How can help be sent if no one knows it's needed?"

At the central plaza a priest at the partly-leveled colonial church was using a battery-powered bull-horn to console survivors and boost town morale. As our strange group of vehicles turned southward through rubble-filled streets leading to the cemetery, and Zaragoza, he turned his amplified voice in our direction.

"You who have pickup trucks," he implored. "*Favor de ayudarnos!*" Please help us move corpses . . . we have more dead than the living can carry . . . for God's sake help us . . . !

Stacked high with corpses, the honeymoon pickup moved gingerly on. I was halted by a larger truck wanting to enter the column in front of me from a sidestreet. This too was carrying corpses. Now it stopped to load a few more. From both sides rescuers kept beckoning the driver to wait, struggling to move additional bodies out. It was difficult to believe the grim scene being enacted before our eyes.

We resumed our slow march at last. We saw through moving dust the first sign of incoming traffic, entering Comalapa from southward: a motorcycle whose driver

now slowed to a standstill to pick his way around us. I became aware that he had a familiar appearance, that he was someone we knew.

"Lee!" I shouted in astonishment. Lee is an American medical missionary who for years has worked in the Chimaltenango area. After a surprised greeting Lee explained how from the moment of the earthquake he had given assistance wherever he could, had visited one devastated community after another, had struggled in from Zaragoza—the first to reach Comalapa but for our convoy.

"Then the road is passable?" we asked anxiously.

"Not really," he said. "Not for cars, at least. I counted four places where the road was out. I got through only by getting off and scrambling around on foot. I doubt you'll make it, but you should try—we need help out here very badly!"

We parted; as we moved briskly now into open country, I had a mission.

For a deceptive while we continued swiftly, searching cornfields and pine woods ahead for signs of Lee's trouble spots—or for a halted line of cars.

Suddenly we reached number one: a spectacular collapse of our

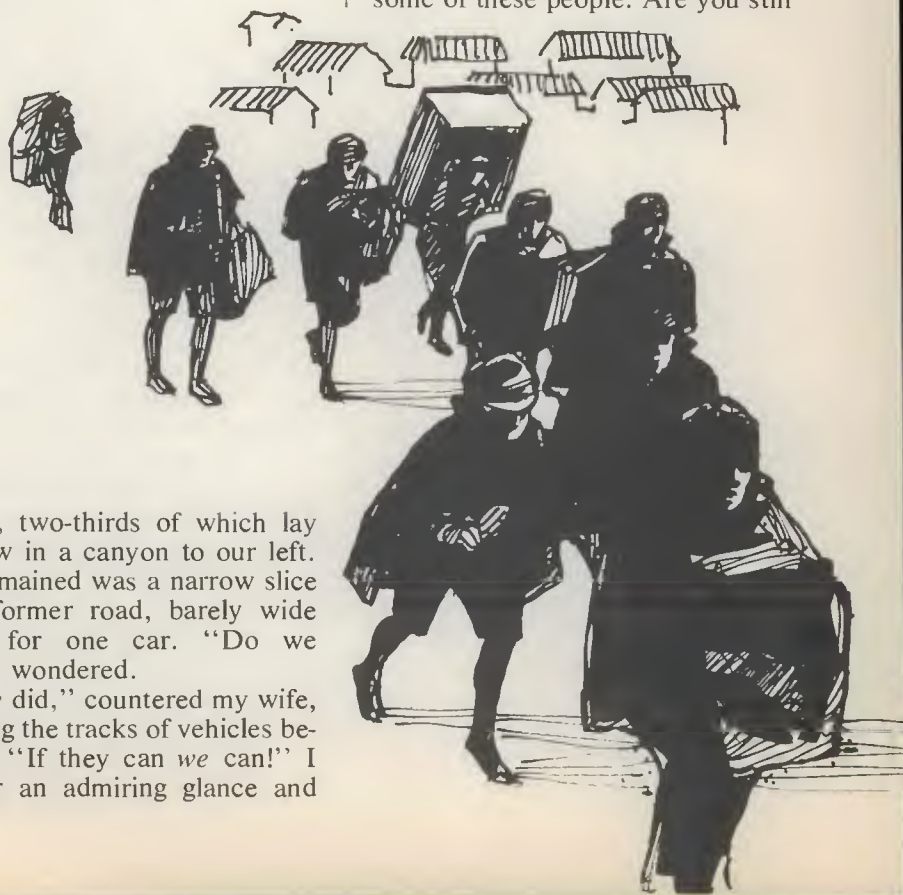
moved ahead, praying that no new tremors would strike as we crossed that treacherous vertical cliff-top. Then we were over.

The second was where we caught up to the column. The first drivers to arrive, we now learned, had formed themselves into an ingenious workparty; they somehow had levered aside several fallen pines, and reduced the sharp angle of a loose slide burying the roadway. One by one we now climbed through it.

It was the same with number three. Now we found ourselves halted at the fourth and last, uncertain if this would be the obstacle that would bar us hopelessly from Zaragoza and the paved highway beyond. Hopes dwindled as late afternoon shadows lengthened. Now we saw that our column was being overtaken by a motorcycle coming up from behind.

It was Lee, returning from Comalapa.

"I've been hoping to find you!" he said at once. "The town's wiped out, as you know. I've got paramedics working there now. But we'll be needing outside help with the kinds of injuries we're getting: lots of bone fractures—spines and pelvises mainly—from being hit by falling walls. We've got to get competent surgeons and surgical equipment out here, fast, to save some of these people. Are you still



roadbed, two-thirds of which lay far below in a canyon to our left. What remained was a narrow slice of the former road, barely wide enough for one car. "Do we dare?" I wondered.

"They did," countered my wife, indicating the tracks of vehicles before us. "If they can we can!" I shot her an admiring glance and

trying to reach Guatemala City tonight?"

"Yes, we've got to," I said, "if we possibly can."

"Right," Lee agreed. "I'll be working here where I'm most needed. When and if you reach the capital please remember one thing. No matter how bad the problems are in the city, don't let the needs out here get overlooked! Make sure we get heard. Please."

"Don't worry." I had a job to do. Lee gunned his engine and shot ahead toward Chimaltenango. Anxious now about oncoming twilight we settled down for a long wait; Lee at least could spread the word about the tragedy and horror behind us.

**EVENING:** Before twilight descended our now-experienced lead party again cleared our way and got everyone moving. We entered another stricken town, driving once more over heaps of rubble where twin rows of houses had yesterday flanked narrow streets. In the wreckage of a roadside garage I glimpsed an unforgettable truck, half-buried in adobes. It is local custom for truckers to name their vehicles, and paint elaborate and colorful legends on bumpers and over windshields. This one bore still-readable words that hit me like a chill: DIOS SABE COMO SUFRIMOS—God knows how we suffer.

We hastened through gathering darkness over two-lane pavement again, slowing only to pass tumbled structures edging the Pan-Am at Chimaltenango. In San Lucas we caught up with scores of red tail-lights that had accumulated before us; together we began the last long descent to Guatemala City.

Here we met upcoming headlights for the first time—good sign, I thought. Then we abruptly reached a final halt, and one of the biggest slides yet, apart from what had stopped us at Tecpán.

This one completely filled a cut from side to side. With city lights seemingly around the bend, with our daylong goal so near to attainment, I now began to fear the worst: were those headlights going up the grade simply drivers who had given up and turned back, seeking another way to the capital? I voiced this fear as we sat in line, motionless.

"No," my wife reasoned. "Take a good look at those lights, the ones climbing toward us through those trees." Large trucks, leading smaller vehicles behind, now came inching through an impromptu bypass beside the filled-in roadcut, headlights stabbing dust clouds, motors roaring as they momentarily lost traction then bit in again. "We just have to wait our turn, that's all!"

By tacit accord opposing vehicles were waiting for measured groups to occupy the one-way bypass in alternation. Twenty minutes later it was all behind us. Another twenty and we were in Guatemala City itself!

After ten difficult hours on the road it was hard to believe we could now speed unimpeded to the home of the Resident Representative of the United Nations. "We've been looking for you!" the Res Rep told me, and with that he put me immediately to work.

**FOLLOW-UP:** It involved first a phone connection with Geneva, which could not be accomplished until morning with help from downtown GUATEL offices, in a capital that seemed little more than a ghost town: no signals, no traffic, no stores open, no people in the dangerous streets. Big aftershocks were unpredictably frequent: no one wanted to be caught under tons of falling masonry.

It involved next our retrieving the UN telex machine from elegant-but-unusable UNDP offices atop a fifteen-story tower and hand-carrying it down pitch-black stairs because no elevators were running. This we now set up on the grass beside a GUATEL substation on prestigious Avenida La Reforma, just down from the fortress-like American Embassy. From that day on, and for weeks to come, we utilized that outdoor location for making daily contacts with UN-DRO. They in turn mobilized the full UN system—our messages to UN-DRO specifying the knowable extent of death and destruction, the official request of the Guatemalan government for international assistance, the identifiable needs and exactly who did what about them—so that donor governments belonging to the UN (as well as various UN agencies themselves such as UNICEF or World Food

Programme) could fine-tune their immediate responses with a minimum of duplication and delay.

It also involved, that first day, my participation in a press conference held at the United States Embassy. My estimates of the death toll were so much higher than anyone else's that they got me quoted on page one of *The New York Times*. Yet they were tragically short of the mark, as unfolding events slowly revealed: 22,836 killed, 77,060 injured, a quarter million homeless (as finally measured by Guatemala's National Emergency Committee). When the press conference ended I received an unexpected invitation: "Ambassador Meloy has the US Disaster Assessment Team with him for his first briefing; why don't you sit in?"

A team of experts had been flown in almost immediately; they had spent that whole day completing extensive aerial surveys over a disaster zone stretching from Tecpán on the west far up to El Progreso on the east. Report finished, Ambassador Meloy now turned and asked if I might wish to add anything.

I summarized for him all that I had personally witnessed. Then I conveyed the deep concern that Lee had expressed to us at Zaragoza.

"We are most appreciative, I assure you," said this handsome and courtly diplomat (who was to be tragically murdered in Lebanon less than three months afterward). "We have a hundred-bed emergency field hospital arriving tonight from the States—seventeen consecutive jet flights spaced an hour apart. Your information will be taken into account when our final decision is made as to where we put it."

I thought again of crumbled houses and dead bodies, of ominous dust clouds and a priest with a bullhorn, of Lee's urgent plea: *don't let the needs out here get overlooked*.

They weren't. Next day the airborne marvel that is a self-powered, self-staffed, fully-equipped disaster field hospital was installed outside Chimaltenango, minutes by helicopter from Zaragoza, Comalapa, Tecpán. Massive help, in the time and place most needed, was at hand.



The memories of a major earthquake are more terrifying perhaps than any natural disaster because the damage is usually complete and the scars remain on the land for years.

But in the Guatemalan provincial capital of El Progreso, in the mountains about 45 kilometers northeast of Guatemala City, a team of urban planners from the University of Florida is working on a plan to erase the scars and rebuild the community of 5,000.

The project is believed to be the first time experts from an American university have developed a plan to rebuild an entire community destroyed by a natural disaster.

Financed by a \$56,000 grant from the Agency for International Development (AID), anthropologists, engineers, architects, economists and agriculture experts from the University already have begun gathering information to determine what El Progreso was like before the February 4 earthquake.

A backwater town located on an alluvial plane 2,000 feet above sea level, El Progreso is a governmental center linked to the rest of the country by the main highway and rail line which runs from Guatemala City to the Caribbean.

The only industry, a whiskey factory, was destroyed in the earthquake along with 95 percent of the buildings in the town. The only agriculture is subsistence farming and most of the people are poor; only one half can read and write.

Two hundred residents died in the earthquake and 2,000 were injured.

Immediately after the disaster the Red Cross provided materials to construct temporary shelters but the destruction was widespread and officials soon realized the entire town had to be rebuilt.

Professor of Architecture Dr. John Alexander, who heads up the University of Florida project, first visited El Progreso one month after the quake. He went as a volunteer under the sponsorship of the Methodist Church and helped the townspeople relocate and plan the construction of their temporary shelters. Local governmental officials were impressed with his ideas and asked Alexander to help them develop a proposal for a complete new community.

Alexander returned to the cam-

Academic experts and AID combine to erase some of the scars of the Guatemalan earthquake

pus at Gainesville, gathered a team of graduate students and faculty members and asked the State Department for money to finance the planning.

By September the AID project was approved and members of the eight-man team made their first trip to Guatemala.

"We are going as technical assistants to the people of El Progreso," explains Dr. Alexander. "First we have to find out what they want."

For example, before the earthquake most of the homes in El Progreso were made of adobe brick with tile roofs. The adobe was a status symbol to the class-conscious residents who preferred them over the other principle method of construction—homes called bajareques, made by weaving sticks and twigs together and packing them with mud.

But the bajareques were flexible and withstood the 7.6 Richter scale shock waves while the adobe homes were destroyed. Most of the injuries and deaths in the town occurred when the heavy tile roofs

# AFTER THE DAY THE EARTH SHOOK

JEFFREY ALFORD

*Information Services, University of Florida. Special to the JOURNAL.*



*Only the front facade of the Roman Catholic Church survived the earthquake. Even the front door remained padlocked although there is nothing behind the wall, which now stands like a monument on a hill overlooking the town.*



*A bajareque under construction shows the building technique which was most successful in withstanding the earth tremors. The bajareque, however, is considered undesirable by status-conscious El Progresans.*



*A construction laborer in El Progreso takes a hunch break.*

of the adobe homes collapsed on the occupants.

The people now recognize the dangers in adobe, Dr. Alexander says, but they still view the bajareques as homes for poor people.

Alexander and his team must find a substitute method of construction or adapt the bajareque technique so that it is more acceptable.

The planners also must answer such basic questions as: should the town be rebuilt on the same site or moved to more solid ground up the mountain; should El Progreso expand its economic base and become a market place as well as a governmental center or can the land support a larger population; what are the cheapest and most efficient methods to provide clean water, electricity and sanitary services to the town?

The work has just begun and the Americans have until March when the grant expires to answer the questions and present a comprehensive plan to the people of El Progreso for the redevelopment of their community.

"We're not sure yet what the town will look like when it's finished," Dr. Alexander says, "but the money is available through the United Nations and other relief organizations to implement whatever we propose so there is no question that the people can decide what El Progreso will be like.

"We are just trying to help them achieve what they decide on," Alexander says.



*These homes were among thousands constructed by the Red Cross as temporary shelters for the townspeople. The materials used in the construction were all imported from outside Guatemala.*



*Lowel Lotspiech, a graduate architect on the University of Florida team, attracts a crowd of local children as he sketches the gazebo in the plaza in El Progreso.*



*Guatemala's major railroad line runs from the capital in Guatemala City to Puerto Barrios on the Caribbean and links El Progreso to the rest of the country. Here a man follows the tracks back into town.*

"We, the peoples of the United Nations, . . .  
to reaffirm faith in fundamental human rights,  
in the dignity and worth of the human person . . ."  
Preamble

# Congress, the Executive, and Human Rights Legislation

DONALD C. JOHNSON

The cases are often sickeningly similar. A person is seized by persons unknown. Neither family nor friends ever see the victim alive again. Checks at hospitals and police stations prove fruitless. So are efforts to obtain *habeas corpus* action from the courts. Days or even weeks later a tortured, bullet-riddled corpse may turn up. Often there is no word at all. Government responsibility is a distinct possibility. The country where this takes place is one with which the United States maintains friendly diplomatic relations and has security and development assistance programs.

What are United States diplomats supposed to do about cases such as this one? The traditional answer was "nothing," because the actions described above were deemed to be the internal affairs of the country concerned. Congress has recently challenged the traditional response by enacting legislation on human rights. Nations which engage in a "consistent pattern of gross violations" of internationally recognized human rights should no longer receive security or developmental assistance. More recently, the Harkin Amendment has required the Executive to vote against international development institution loans to countries engaged in human rights violations.

It is not hard to understand the strong sentiments which motivate the Congress in enacting this type of legislation. The United States is a nation which has certain ideals,

and has often struggled with the problems created by its self-imposed desire to transform these ideals from totems into patterns of action. The Executive branch had appeared to invite Congressional action on this issue; for most of the past decade, the Executive branch appeared oblivious to moral concerns (particularly in Vietnam and Chile). The urge to legislate must have been irresistible.

Unfortunately, however, the fact that it seems right to supply a remedy does not mean that every remedy supplied will be right. I believe that the Congress's recent efforts to legislate Executive branch action on this issue may help us feel better, but I doubt that the remedy supplied will be very effective. Indeed, it may prove to be counterproductive.

The legislative formula chosen by the Congress is essentially similar to the one which has been used effectively to enforce civil rights laws in the United States—resources are made available, but there are strings attached. The strings are used to accomplish civil rights policy objectives. If the prospective recipient is unwilling to comply with the rules set forth, then the money is lost. It is a neat way to extract the *quid pro quo*.

One is always tempted to apply a successful formula again. The issue here is whether application of a formula which works in federalism can be made to work in international relations. I think not.

My first major criticism of the "consistent pattern of gross violations" formula is that it is too vague. In federalism, the Congress is free to enact broadly-worded statutes which often reflect legislative compromise, because there is the

shared expectation that the courts will flesh out the statutes by a process of application and interpretation.

This is not the case with human rights legislation. Here the Congress has given a formula which the Executive not only has to implement, but which it must also define. The Congress has set itself up as a "court of review" by requiring annual reports from the Executive. In short, there is no impartial arbiter; both the Legislative and Executive branches can act on their suspicions that each other's actions and pronouncements are inherently self-serving and therefore suspect. We are left to wonder just what a "consistent pattern" is, and just how "gross" the violations must be.

Efforts to give substance to the Congressional formula are rendered even more difficult because it is clear that the Congress was in fact interested in having the formula applied only to a fairly narrow range of "human rights," if we take the 1948 Universal Declaration of Human Rights or the American Declaration of the Rights and Duties of Man to be the yardsticks defining these rights. The Congressional approach to the issue indicates that they were concerned mainly with freedom from the most serious invasions of the person—murder, torture, prolonged detention without trial.

Human rights as defined in the UN-adopted Universal Declaration range from personal guaranties (life, liberty, and the security of the person—Article 3) through social security (Article 22), the right to work (Article 23) and the right to "just and favorable remuneration ensuring for himself and his family

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an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection" (Article 23 (3)). The American Declaration, while not as broad as the Universal Declaration, still contains basic guaranties for the person (Article I) and for political action (Article XXI).

Right now, the Congress's implicitly narrow construction of human rights covered by recent legislation is something of a non-issue, because the Executive branch is probably quite willing to accept the narrower version—it has enough trouble dealing with it as it is. Nevertheless, the broad wording seems to carry two dangers. In the first place, it gives the impression that Congress is accepting the anomalous position of working to prevent invasions of the person, while appearing unconcerned about institutional violations which the wording seems to cover. As things stand now, the stealing of an election through vote fraud or manipulation would not necessarily expose a country to loss of assistance, but torture of dissidents might. Congress, in short, is concerned about micro-political problems but has expressed the concern in macro-political terms.

In the second place, the vague Congressional formula may bear unexpected fruit. The international law of human rights is only developing, in the same way (but to a much lesser degree) that the law of the sea is developing. The rights to be protected are only now being defined. A broad and vague definition leaves open the possibility that those more interested in "equality through economics" than in personal political liberty may in the future seek to give priority to economic human rights. The Congressional formula could thereby result in the law developing away from the specific problems which Congress was seeking to address.

My second major criticism of the Congressional effort in the human rights field is that the enforcement scheme runs contrary to a decade-long effort to curb our tendency to interfere in the internal affairs of other countries. To enforce the standards it has set, the Congress needs information. Over the past year the Congress has on numerous occasions requested the Executive to provide specific information on

alleged violations in specific countries. The volume of these requests indicates that the Congress wishes to have the Executive, and hence United States embassies abroad, act as investigative bodies.

Embassies are not designed to act as detective bureaus. Their function is to represent, report, provide assistance and protection to United States citizens and businessmen, and in many cases to provide security and development assistance. If embassies are assigned the task of investigating human rights abuses against non-Americans abroad, the performance of the above functions is likely to be impaired.

Many countries would consider it a gross interference in their internal affairs if they were asked to account for the security of non-Americans. Such an action on our part would be considered an attempt to impose our judgment about what is right under international law, and would inevitably grate on national sensibilities. The fact that we are acting to allocate our own resources will not prevent this, as anyone familiar with Latin American protests over the 1974 Trade Act will recall.

There are other reasons besides diplomatic sensitivity which argue against the "detective bureau" approach. If embassy contacts know that their information is or may be funneled to the Legislative branch and is therefore subject to public disclosure, they may be vulnerable to possible intimidation. There is also the possibility that individuals might use their knowledge of the American system to manipulate our investigatory process for their own domestic political purposes. An opposition front, for example, might seek to use a United States forum to advance its own domestic political situation.

Even assuming *arguendo* that a detective bureau foreign policy were possible, as a practical matter it could only be conducted in friendly countries. The ones whose aid we would conceivably be acting to revoke would be the very ones closest to us. And among these, we would most probably not be taking any action against the biggest and most important (e.g., Indonesia, Korea, Philippines, India) regardless of their performance, simply because their strategic importance

would probably outweigh the need for action. A policy with a built-in double standard such as this one would be is not a very good policy.

Let us return, however, to examine the *rationale* for human rights legislation. As near as I understand it, the rationale is that by giving development and security assistance to countries which commit human rights abuses, we become identified with those abuses. The fact of the matter is that our development assistance programs must follow a Congressional mandate to funnel assistance to the poorest people, and not to the governments involved. The "propping-up" theory overestimates the monetary impact of our assistance and underestimates the Executive branch's willingness to follow the Congressional mandate.

Therefore, if the Congressional mandate is being carried out, and the Congress has the GAO to make certain that it is, then the current aid-if-no-violations policy is not really necessary. To enforce it would be tantamount to condemning the poorest of the poor to ignorance, disease, and malnutrition. In my view the positive effect of helping individual poor people is greater than the moral uplift we might feel in refusing to associate with regimes that cannot break away from their dependence on repressive human rights practices.

Although unilateral punitive restrictions do not promise much in the way of results, this does not mean that a long-range commitment to human rights cannot be translated into policy. There is room for the Congress to enact positive provisions for a human rights policy (to be discussed later in the paper), but the main emphasis must be on multilateral diplomacy. International protection of human rights will come only through creation of a greater multinational consensus. That consensus can only be developed through international organizations, particularly the UN and the OAS. A basis for this consensus already exists in the broadly worded Universal Declaration and the American declaration. Our effort should therefore concentrate on developing the substantive law of human rights and in creating those international fact-finding organizations which can enforce them.

Because so much of our human rights concern is related to other republics in the Western Hemisphere, I will use the inter-American system as the focus for the following recommendations. The agency within the OAS system which has responsibility for human rights is the Inter-American Human Rights Commission, which was created in 1959, but which lacks the sort of mandate which could make it effective in protecting human rights. At the present time it is limited to little more than compiling information and reporting on the state of human rights in the Hemisphere.

As a first step toward strengthening the IAHRC, the United States should seek to have the Commission concentrate on areas of greatest international concern. The Commission is at the present time empowered to "give particular attention to" issues revolving around invasions of the person. This is not enough. The Commission should be instructed to give priority to cases involving alleged government-approved or condoned murder, assault, torture, or prolonged detention without trial. This would channel the efforts of the Commission toward protecting those human rights most in need of protection.

After focusing the Commission's efforts, we should seek to provide for speedy action. Cases requiring priority attention should be completed within a specific time period; there is no such requirement now. This time period should possibly be as short as 60 days, but no longer than 90 days:

In the past, foot-dragging by nations to which the Commission has directed requests for information has kept the Commission from making its reports sometimes until years after the events in question. To prevent this, the Commission should be authorized to draw adverse inferences from the failure of responsible officials to respond expeditiously, say within ten days of notification, to a written or telegraphic query from the Commission.

This would eliminate whatever advantage may have been perceived in having the fact-finding process protracted so long that memories would fade before criticism, if deserved, was leveled.

To insure that the fact-finding process would proceed on its designated schedule, each country should be required to designate a national official who would be responsible for receiving communications from the Commission and who would be responsible for making certain that the required response was forwarded to the Commission within the required period. The official would be tantamount to an "agent" for service of process. If this official defaulted on his or her obligation to respond to Commission inquiries, the Commission's power to draw adverse inferences from a failure to respond to one of its requests would not short-circuit the fact-finding process.

Another important modification in the Commission procedure should be the way in which cases are generated. For a start, the Commission should be allowed to undertake an investigation *sua sponte*. Right now it is only empowered to "examine communications submitted to it and any other available information"; that is not enough. The Commission should have the power to receive information, but if the Commission becomes aware of information it deems credible, it should have the power to notify the alleged violator country that it has opened an investigation. It could then request information it deemed necessary for answering questions raised during the investigation.

The Commission should be given the right to extend its investigation to the alleged violator country without being required to obtain special authorization. This could be accomplished by having each country commit itself to issuing diplomatic visas automatically to all members of the Commission and to designated staff members, and by having the countries agree that they would not block or unnecessarily hinder travel by these persons. In exchange, the Commission could be required to notify the responsible national official dealing with human rights in advance of travel related to investigations.

Giving the Commission authority to investigate *sua sponte* would to a large degree neutralize the possible debate over whether or not private citizens would have

standing to present claims before the Commission. Private persons (and groups) would be perfectly free to bring complaints to the Commission's attention, but the Commission would have to act as a screening agent and decide which ones were sufficiently credible to warrant further consideration.

A final procedural suggestion—the Commission should be allowed to create the category of "interested party" for private organizations concerned about human rights. Upon the Commission's announcement of the commencement of an investigation, these interested parties could, at their option, request to present evidence. This information would carry whatever weight the Commission chose to give it, and the Commission would not be required to inform interested parties what weight it had given it. All information received from interested parties would be subject to public disclosure, but the interested parties would be able to provide information based on private sources and not have these sources compromised.

A note on sanctions. As a practical matter it would be impossible, in my view, to get member states to allow the Commission to impose sanctions on violator states. This may eventually be feasible, but it is not feasible now. Sanctions should therefore remain a matter for the OAS governing body. The suggested modification allowing the Commission to draw adverse inferences is not really a sanction, but more a method for blocking efforts to thwart the investigatory process.


As an intermediate measure to sanctions, it might be possible to get agreement on a procedure whereby the Commission could recommend that the conduct of a country which has been investigated could be brought to the attention of the OAS General Assembly. Such a power could be made quite forceful by providing that such a recommendation would automatically become an agenda item unless two-thirds of the member states filed notices in opposition prior to the General Assembly meeting.

The greatest single advantage of the above proposals is that the United States would no longer be

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# LETTERS TO FSJ

## A Tribute to Ambassador McClintock

 Ambassador Robert Mills McClintock is no longer with us. That is a tragedy. He still had so much to offer.

I had the pleasure of serving with Ambassador McClintock at two different posts under two completely different circumstances. I admired him, his intelligence, his integrity, his wit, his ability to condense a discussion on a long and inordinately complicated matter into a very precise written statement, without benefit of notes of any kind. Ambassador McClintock demanded much of those he worked with, and he demanded much of himself, and had little time for fools or laggards. At the same time, he was a very warm person, and fought hard for the well-being of those on his staff.

I first met Ambassador McClintock in 1951, and in an open staff meeting expressed an opinion contrary to his. I last saw him at Foreign Service Day in the Department earlier this year, and in an open meeting expressed an opinion contrary to his. In the intervening years we worked closely together for a considerable length of time, and although seldom did I have opinions contrary to his, I always found him receptive to a reasoned and coherent presentation of a point of view different than his.


I could cite many instances of the things that McClintock did that were extremely helpful to me personally, but I will cite only one. In Saigon as a relatively junior officer when McClintock was serving as the Deputy Chief of Mission, the officials of the aid mission in Saigon for some reason suddenly began bringing joint Embassy/Aid Mission messages to me for clearance. For several days I gave such clearance, but decided it would be best to check with McClintock. I told him of the action I had taken, and said I did not know how much authority I had. He replied, "You have just as much authority as you want to take." From then on I operated on that basis with McClintock and with other supervisors I

had subsequently, and consider it one of the best principles that a supervisor in the Foreign Service could use in developing the confidence of his junior officers.

Our country has lost a citizen who devoted much time and hard work in its behalf. Our Service has lost a valued member. I have lost a good friend.

HOYT PRICE, *FSO-ret'd.*  
Pittsburgh

## Home Leave Expenses


 Negative in all respects is the recent Tax Court decision in *Hitchcock vs. Commissioner* wherein the IRS disallowance of an FSIO's individual home leave expenses deduction was upheld. In *Hitchcock* the Tax Court followed its earlier adverse decision in *Stratton*. *Stratton*, however, came to a happier conclusion when the Ninth Circuit Court reversed on appeal. No appeal has yet been taken in *Hitchcock*.

In *Hitchcock* the Court found that the expenses were non-deductible because home leave is so akin to vacation that the expenses were of a personal nature. It also found that while home leave may be compulsory for an FSIO, the consequent expenses remain personal and are not incurred in pursuit of a trade or business. The conclusions reached in *Stratton* were reviewed in depth by this Court.

The Foreign Affairs Manual language was relied upon heavily by the Court in both the Findings of Fact and the Opinion: e.g., "Foreign Affairs Manual regulations repeatedly indicate that home leave is indistinguishable from Government annual leave." Semantics seem to be playing an important and adverse role, but it should be possible to remedy the situation by an improvement in the pertinent Manual wording before another court test is made. It behooves taxpayers and their practitioners availing themselves of a home leave expense deduction to familiarize themselves with *Hitchcock*, amass sound evidence, develop good arguments and make appropriate disclosures.

RICHARD L. ERICSSON, *CPA*  
Bethesda

## Chancery as Fortress

 When my wife and I visited Tokyo a year ago, we could already see that the new Chancery, then still under construction, was going to be an ugly building, and this in a city in which there are so many splendid modern buildings and which is the capital of one of our country's main allies. Subsequently, I saw a picture in a recent issue of the *Newsletter* which confirmed my fears, giving the impression of a fortress or institutional building of some kind.

I now understand that the inside of this new Chancery, which was recently dedicated, is even more of a fortress. Our local employees, many of whom have served the US Government for years with dedication and faithfulness, are reportedly separated from the American staff, and every communication between them is through locked doors, with advance notification. I presume this represents a policy decision which will be incorporated in every new office which we build abroad.

Such separation of Americans and locals is perhaps understandable in an office in a communist country, where we have every reason to believe that the local employees, or at least some of them, work for or report to the local intelligence services. But for every other State Department office abroad, and particularly those in the countries of our allies, I cannot understand why this is essential. In fact in some of these, our local employees have also been the target of terrorist attacks. Do we expect to enjoy the loyalty of our local employees who are treated in this fashion, and what kind of an impression will it make on our allied governments?

I believe this question should have been more carefully considered, rather than just having our "security" advisors take over in this way.

BREWSTER H. MORRIS  
*Ambassador retired*

Tiburon

*The JOURNAL welcomes the expression of its readers' opinions in the form of letters to the editor. All letters are subject to condensation if necessary. Send to: Letters to the Editor, Foreign Service JOURNAL, 2101 E Street, N.W., Washington, D.C. 20037.*

## Two Notable Secretaries

DEAN ACHESON. *THE STATE DEPARTMENT YEARS*, by David S. McLellan. Dodd, Mead and Company, \$17.50.

HENRY KISSINGER: *THE ANGUISH OF POWER*, by John G. Stoessinger. W. W. Norton and Company, \$8.95.

KISSINGER. *THE EUROPEAN MIND IN AMERICAN POLICY*, by Bruce Mazlish. Basic Books, Inc., \$10.95.

None of these books—one on Dean Acheson and two on Henry Kissinger—is likely to be regarded as the final word on either of our two most notable Secretaries of State, but McLellan's study on Acheson is thorough and well-documented and Stoessinger's appraisal of Kissinger is free of the rancor and partisanship which seem to cloud the judgment of so many about our present Secretary of State. Mazlish's psychological study of Kissinger promises more than it delivers, but it does offer some interesting ideas. For example, Mazlish attributes part of Kissinger's phenomenal success as a negotiator to his uncommon ability to identify himself with his adversary. Brezhnev, Chou En-lai, and Sadat all come to mind. Kissinger could detach himself from his own point of view and, from a different perspective, find the common ground that meant the difference between success and failure on one of his extraordinary missions.

Mazlish's point about Kissinger can be made in a different and more general way. According to one theory of behavior, we tend to become what we hate, a sobering thought indeed. Thus, Dean Acheson was the liberal Democrat, full of Christian virtue, devoted personally to some of our greatest Supreme Court justices and committed intellectually to our democratic traditions and to the Bill of Rights. Yet Acheson became the arch Conservative in foreign policy, subordinating everything else to stopping alleged Soviet aggression, justifying many measures—even the post-war loan to the United Kingdom—in terms of the free world's effort to check Communist advances. Acheson's policies, while brilliant in conception and

execution, were essentially reactive and conservative. Acheson was reacting to the Soviet Union and was "present at the creation" of the remilitarization of the West, through NATO and through the rearmament of Germany. Acheson evolved the doctrine of creating "situations of strength" as a necessary precondition, rather than a barrier, to useful negotiations with the Soviet Union, a doctrine which has since then permeated our thinking about foreign policy and which President Ford echoed in his slogan, peace through strength, a well-intentioned but unfortunate phrase which would more aptly describe pre-war Germany policy. The problem with the doctrine of peace through strength is that the adversary—the Soviet Union—may decide to pursue the same policy.

While McLellan is a staunch admirer of Dean Acheson (as am I) and while he is not a revisionist historian, he is critical of Western policy under Acheson's stewardship. He writes as follows:

"It should not be presumed that Soviet policy followed a planned and foreseen line of development undeterred and unaffected by Western action. The immediate effect of American moves in Europe was to increase the momentum of the Cold War and to produce a withering reaction from the Soviet side. Certainly some of the worst excesses of the Cold War might have been avoided had American authorities understood that part of the motivation for Soviet attitudes lay in weakness and fear of the outside world. But the insight was lacking, and Stalin had done absolutely nothing to ease the suspicion that the Kremlin was exploiting the chaos in the West and waiting for the inevitable crisis to occur."

In contrast to Acheson, Kissinger, first with Nixon and then with Ford, moved toward accommodation with the Soviet Union and China—from right to left, from a conservative to a liberal position on the political spectrum so far as relations among the superpowers were concerned. Kissinger has been the foremost advocate of détente with the Soviet Union—a position poles apart from Acheson's—but with respect to the Third World and the exercise of American power, including military power, Kissinger and Acheson would probably see eye to eye. Stoessinger points out that the "great paradox of Kissinger's concep-

tion of détente is in his relative tolerance vis-à-vis the Soviet Union, still the fountainhead of communism and his combativeness toward local Communist movements in peripheral areas. How can Kissinger proclaim détente with the Soviet Union, the supporter of Communist causes everywhere, and yet fight communism to the death in Indochina, warn Western European heads of state against coalition governments with Communists, and demand action against the Communists in Angola?"

The explanation for this paradox probably lies in another point Stoessinger makes. He notes that in the time of Metternich and Castlereagh, and I believe in Acheson's time too,

"no mistake was irretrievable. No outcome was completely fatal. There was no sense of ultimate catastrophe. It is this basic difference that haunted the conscience of Henry Kissinger. It is the reason why he believed with absolute conviction that there was no meaningful alternative to détente."

Kissinger and Acheson lived in different worlds—Acheson did not confront the balance of nuclear terror—and it is this compelling fact which was the root cause for the difference in their approach to the Soviet Union. We and the Soviets have lost any margin for error. We live in a world of absolutes because of our capability of destroying each other. This has been Kissinger's central preoccupation. A recent study sponsored by the National Academy of Sciences and the Arms Control and Disarmament Agency concluded, for example, that

"a massive attack with many large-scale nuclear detonations could cause such widespread and long-lasting environmental damage that the aggressor country might suffer serious psychological, economic, and environmental effects even without a nuclear response by the country attacked."

In spite of these foreboding scientific advances, a conjunction of major developments has, to our good fortune, brought about a high degree of stability among the major powers. It is these developments that Kissinger has exploited.

Acceptance of the division of Germany and the division of Europe by the major actors on the European scene has removed the principal source of great power conflict in Europe. This is no passing phenomenon, and occurred long before the Conference on Security and Cooperation in

Europe which took place in Helsinki in August 1975. We came to terms with the realities in Europe as long ago as 1956 with the Soviet occupation of Hungary, when John Foster Dulles was Secretary of State, and Willy Brandt's wise and far-sighted Ostpolitik had its roots in the policies of his CDU predecessors, Erhard and Schroeder. The division of Europe is here to stay, though some allegiances could be severely strained if, for example, a punitive Western policy against an Italian coalition government which included communists drove Italy to extremism of the left or the right—and to chaos.

The Sino-Soviet quarrel, which began in 1959, has resulted in a massive Soviet build-up on the China border of over half a million soldiers, and has provided the Soviets with a powerful interest in stability in Europe and in avoiding two hostile fronts. The American opening to China has been a further spur to the Soviet Union. The intensity of the Soviet concern about China was momentarily laid bare in the dramatic proposal they made to

us during the SALT I negotiations for an alliance against provocative attack from China, an alliance which would have called for a turnabout in the policies of both countries comparable to the Molotov-Ribbentrop deal of 1942. Even if some spin of the wheel should bring about a favorable shift in the atmospherics of Sino-Soviet relations, it seems highly unlikely that the Soviets will lower their guard against the Chinese.

The balance of nuclear terror between the United States and the Soviet Union has been stabilized and formalized in the Anti-Ballistic Missile Treaty of May 1972. This treaty is based on the premise that both sides rule out World War III—both renounce any ABM defense against nuclear attack from the other. Both sides possess a massive overkill capacity and a secure second strike capability. As a result, the nuclear deterrent is broad and stable, not easily disturbed, even by major additions to the already redundant nuclear arsenals of either side.

The present conjunction of favorable international events—

stability at the center of world affairs among the major powers—may be happenstance or it may be the consequence of Acheson's "situations of strength" and Kissinger's moves toward accommodation with the Soviet Union and China. But whatever the cause, we will tempt the fates if we are indifferent to the opportunities we may now have to build a more secure world.

— DAVID LINEBAUGH

## FSJ BOOKSHELF

### Whose Law?

LEGAL REFORM IN OCCUPIED JAPAN, by Alfred C. Oppler. Princeton, \$20.

At this year's meeting of the Association for Asian Studies a Princeton Press official warned would-be authors that their chances of publication were very dim because the Press's costs had gone to five cents a page. At these prices, publishing Mr. Oppler's book is a luxury.

It is a generous, if fussy, tribute to the people with whom he worked in the legal section of SCAP (he

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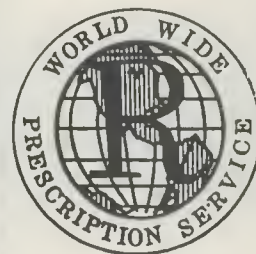
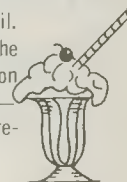
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gives high marks to FSO Howard Meyers—now with ACDA—and low marks to an FSO ambassador in Tokyo) and it has good sections on the technicalities of melding Japanese law with the aims of the Occupation. The author, a former judge in Weimar Germany, points up well the role of Continental law in Japan as contrasted to the Anglo-Saxon forms the MacArthur era brought. Mr. Oppler is sanguine about the results, although American consular officers in Japan might give evidence that foreigners often run afoul of some of the rough spots in the meld. Anyone working on Japan can find much valuable background in this book, particularly in Kurt Steiner's foreword.

— J. K. HOLLOWAY, JR.

### The Fascination of Evil

ADOLF HITLER, by John Toland. Doubleday & Company, Inc., \$14.95.

It is understandable that fascination with Adolf Hitler seems to continue unabated. Few persons through all of history have left such an evil imprint behind them.

Nevertheless, the news that John Toland had written another thousand pages about Hitler brought a few groans. However, it also brought thousands of sales and multiple printings. It is an excellent and most readable book.

Compared to other biographies, it is especially revealing in respect to Hitler's early life. The account of his family background, his childhood and youth all make him seem more real. Toland apparently has done an excellent research job in respect to that part of his life. Later, the book does not add so much to what we already knew. That may well be because many of the records and witnesses were destroyed in the final holocaust which Hitler brought down on himself. However, we do now learn that his sex life was normal.

The one aspect that cannot be made to seem normal was Hitler's raging anti-Semitism which developed at an early age and grew in virulence throughout his life. For example, Hitler firmly believed that the accomplishment for which he would be best remembered and glorified would be his "Final

Solution"—the elimination of six million Jews.

Together with Albert Speer's "Inside the Third Reich," which it complements, Toland's book is essential to an understanding of Nazism, of which Adolf Hitler was not only the leader but the substance.

—AL STOFFEL

### The Multinationals

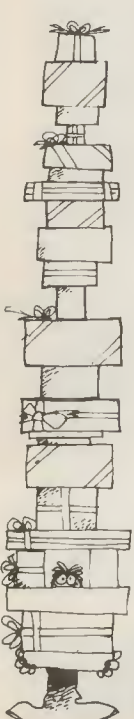
GLOBAL REACH: THE POWER OF THE MULTI-NATIONAL CORPORATIONS, by Richard J. Barnet and Ronald Mueller. Simon & Schuster, \$4.95.

HUNGRY FOR PROFITS, by Robert J. Ledogar, IDOC Publishers, \$7.95.

Books and research on transnational corporations are relatively new. Most studies, including some recent articles in this journal, concentrated on the strategy, and functions of international business, and when the national and international business environment was looked at, research was primarily focused on the effect of this environment on the operations of transnational corporations. Thus, much attention was paid to such questions as the promotion and protection of

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foreign direct investment, nationalization, and the investment climate. Relatively few books were devoted to a critical analysis of the economic, political, social and legal impact of multinational corporations on the host and home countries and on the international community as a whole.

During the past six or seven years scholars have discovered the multinational corporation as a fertile field for investigation. A report on multinational corporations issued by the Commission on Transnational Corporations of the United Nations Economic and Social Council, dated January 1976, lists over a thousand bibliographic references and dozens of research centers from Harvard to the University of Sydney. Even outside academia there has been a resurgence of interest in questions of *dependencia* and influence. Efforts have been undertaken to develop basic empirical relationships as well as new theories. Increased attention has been given, not only to broad economic, political, social, and legal aspects of the "multi's" but also to more specific issues

such as technology transfer, restrictive business practices, transfer pricing, employment and labor, job exports, and market concentration. As a result of this broadening of the scope of investigation criticism of the negative aspects of the transnational corporation has gained increasing attention.

Two examples of this more critical approach are the books under review. *Global Reach* is a broad critical analysis of the impact of the transnational corporation on both the home and host country. Its thesis is that because of their size, mobility, and strategy, the multinationals are constantly accelerating their control over the world productive system and have become the most dynamic agent of change in a new stage of world capitalism. The authors pose a question: Given its drive to maximize world profits, and its enormous bargaining power, can the global corporation modify its behavior in ways that will significantly aid the bottom 60 percent of the world population—in the rich nations as well as in the poor? Their answer is

negative—that the global corporation actually aggravates social, psychological, and ecological imbalances.

Ledogar's work, which in contrast to *Global Reach* (to which it is sometimes cited as a unique complement) offers no sweeping indictment or over-generalized conclusions on the multi-nationals. Rather it is a collection of micro-studies describing the way two of the more exploitative industries, food and drug, have abused the low income masses in Latin America. Among these micro-studies is the example of the marketing of Coca-Cola in Brazil with a whole line of nutritionally worthless products including Fanta Orange, which in 1971 contained no orange juice, in a country which is one of the world's largest exporters of orange juice. (Among its American customers are Minute Maid and Snow Crop, owned by Coca-Cola.) Other case studies deal with medical drugs such as Dipyrone, a pain-killer, and Depo-provera, an injectable contraceptive, both of which are not marketed in the United States for safety reasons

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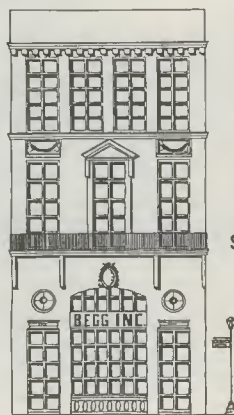
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and are marketed in Latin America, where governments exercise little control over drug industries.

Both of these books present the negative side of the role of multinationals, using mostly Latin-American examples, a continent where the excesses of these corporations are the most serious. Both cite instances of parallel corporate diplomacy with that of official US diplomacy, a parallel which I do not believe generally holds. One need only to look at South Africa today. In fact, most foreign service officers are not automatically pro-US business particularly when business interests directly conflict with the interests of the host country. They understand that the government cannot always defend the interests of some multinationals in underdeveloped countries without jeopardizing larger American interests. However, some of the multinationals are powerful enough to take their case to a higher level in Washington, and then there may be political pressure to utilize diplomatic instruments abroad on behalf of the corporation.

Ralph Nader, in his introduction

to Ledogar, charges that "US Government insurance, loans, guarantees, tax preferences, diplomatic intelligence, and even military support have bolstered the position of these private corporations—at taxpayers' expense—without any demonstration of benefits to the economies of the less developed countries abroad." Neither of these books proves this charge, but they are representative of a critical literature.

— CHARLES R. FOSTER

### Of Politics, Politicians, and Power

Americans are engaged in the wholly unprecedented experiment of governing nearly 200 million free men on a vast territory, and one of the great safeguards of this experiment is that there is no sharp ideological difference between the parties, that both parties have within themselves the principal issues on which Americans disagree. This is one of the secrets of the American success in combining democratic freedom with domestic tranquility.

— WALTER LIPPMANN

### Locating D.C.'s Trolleys

I wonder why we gave up trolleys. It seems to me incredible that we threw away, all at once, this economical, efficient means of public transportation. Trolleys were great. They were sometimes uncomfortable, but so are public buses, even with expensive and wasteful frills added. Trolleys moved with real authority; they clanged; the sound of the metal wheels on the metal tracks brought immediate respect; the shining tracks were fixed in place so that when a trolley came careening down the street, everybody else moved aside. Trolleys made no fumes. They carried the nomad urban public efficiently from one place to another, which is all one can ask from a vehicle of transportation. They did an honest job of work. How could we have been so reckless as to throw them away? The trolleys that Washington, D.C., disposed of in 1962 now are clanging around the street of Sarajevo in Yugoslavia, scattering peasants, animals, cars, bicyclists, and smiling young girls who wave gaily at the placid passengers being moved with dispatch to where they want to go. I wish we could have them back. In Sarajevo, they're not called trolleys or trams. They're called Washingtonies. — from *Dr. Nina and the Panther*, by Shirley P. Wheeler.

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**THE TRACK MAN**

*from page 11*

With much deference and in great detail, the Gruanese position was explained, to the growing horror of the starter. At last it was made clear.

"They can't agree," he said. "One vote for Chris, one for Huang and the third judge refuses to take a position. But by unanimous vote the judges have asked me to make the decision."

"Well, you were standing right there," the American coach said. "Go ahead and make it. It was clear enough Chris won."

The MAAG officer ran a hand through his thinning hair and kicked at a rock. The three Gruanese, small and rumped in their suntan uniforms, just stood there, nodding deferentially and wearing the toothy smiles which for some reason make them feel less ill at ease at embarrassing moments.

"Look," said the starter, extricating himself from the American and Gruanese athletes surrounding him so that he could speak quietly in English to Chris,

his coach and me, "there's a lot involved here. It's not just a race, not even just a track meet. It's a matter of prestige and face. It's a hard decision and they've handed it to me. I know how you feel but you have to understand how I feel, too. I've got to negotiate next week with the Gruanese on a status of forces agreement and the commanding officer of Wampo Academy will be sitting across from me. We've tried to build a good relationship out here. You know how important it is to get along with the Gruanese. I don't want to give the decision to the Wampo kid, but you've got to understand I can't give it to Chris," and he pointed to Huang which was the signal for the bilingual announcement that Huang had won the race and Wampo Academy the meet. Chris blinked back his tears and congratulated Huang. Then we went home.

That night after a hot bath, Chris was in good but subdued spirits. I pointed out that the winning time of 65 seconds was a very acceptable quarter mile for a 12-year-old and when I added it was a lot better

than I could have done at his age he cheered up a bit.

"Chris, you ought to go to bed," Myra said. "It was a hard day and you need to get to sleep. Personally, I'm glad this track business is all over."

For once he didn't argue. He nodded absently, then he kissed his mother and turned to me. Something was troubling him.

"Dad, do you think I won?"

"Yes, Chris, I think you won. You said you felt the tape break. Man to man, that's all there is to it. I know it may not make you feel any better now, but in time you won't be the poorer for having to accept a loss you didn't deserve. There were other considerations at stake out there today, but you ran your race and it was a good one. You proved yourself a good man and a good runner."

"Thanks a lot, Dad," he said and his eyes were shining as he moved toward me. For a second, he seemed to be turning something over in his mind. Then, a little solemnly, he offered me his hand. We shook hands.



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## Congress, the Executive, Human Rights

from page 20

acting alone but rather in concert with other nations. Instead of appearing to have the United States saying "Respect human rights, or else," we would be seeking to work with them to create and enforce useful safeguards. It might be difficult to get some of the more conservative governments in the Hemisphere to accept a more activist Commission, but the effort to convince them is in my view infinitely preferable to an ill-fated effort to coerce them.


Repeal of the Harkin Amendment and of the restrictive security and development assistance provisions would be indispensable steps in the process to move toward a multilateral rather than a bilateral approach to human rights. These provisions now serve as distractions—so much time and effort is being spent trying to minimize their impact that no coherent new policy can be implemented. At the same time, the existence of the provisions gives

countries an issue to attack instead of giving the United States something positive to build on.

Repeal may not be a palatable remedy for the Congress, particularly since it may be perceived to involve a tacit admission of error. The Congress might therefore wish to consider amending the present provisions to transform them from negative to positive. One way in which this could be done would be for Congress to provide that those recipients of United States assistance which consistently respect and defend human rights should be given certain advantages. The Congress could request the Executive to seek to have the Commission publish not only reports on offenders, but also publish the names of those countries whose conduct is exemplary. The Congress could provide that those countries appearing on the exemplary list during two consecutive years would have interest on development loans deferred for each year in which they were so listed. Alternatively, the country could be allowed to opt for conversion of a certain percent

of a loan into a grant.

As a substitute for the Harkin Amendment, the Congress might wish to consider creating a special fund within the World Bank or the regional development banks which could be accessible to countries with exemplary human rights records. In my view it would probably be better to dispense with the Harkin Amendment altogether; using the banks to create different funds for different types of countries is a practice that could easily get out of control. We should try to keep these bodies as non-political and as streamlined as possible, and not make them hostages to pet schemes, not even worthwhile ones.

To recapitulate briefly: Congress has been successful in goading the Executive branch into movement on the human rights issue. Now that the Executive branch is moving, however, provisions which burden it to such a degree that forward motion may be impaired should be eliminated. Other possibilities are available and promise to be more effective. 

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## Sushi, Tempura, Mizutaki . . .

from page 8

paper items, and so on. Look around and enjoy it all. Their specialty is called "Mizutaki"—thin-sliced chicken or beef cooked in a broth along with vegetables and other delectables in a special pot over the fire at your table. The pot containing the boiling soup stock will be carried to your table ceremoniously by your hostess. A flutter of other waitresses will bring a large platter of meat, another of vegetables, a special sauce, and so forth. Your Japanese hostess will do the cooking, serving you a bit of everything as it gets done. It is all delicious and very much to the Western palate. If you can, go to Junidanya in a group of at least four people; it will be more enjoyable—the conviviality of everyone dipping into the same pot is part of the fun. Also, with a large enough group, you can have a private room. There is a modern addition to the original restaurant on the corner of the main road which is less expensive, but—no atmosphere. Remember, if you choose the older part of the "inn," you must be prepared to spend from \$30-50.00 per person and pre-dinner cocktails will increase the cost rapidly; the corner restaurant annex would be about half that price. Reservations are necessary.

A new discovery for me this year and especially welcome, not only because of the charm and atmosphere of the place but because of its moderate prices. You will need reservations at HOKUSAI, Shijo-agaru, Nawate-dori, Higashiyama-ku (Tel: 561-7121). Don't be put off by that long address; the Hokusai is located right in the middle of town, a few steps from the famous Shinmonzen

shopping street, and within easy walking of the Gion area. It is full of light and motion at night since this is one of the bar and entertainment districts. If the main restaurant is booked, in this case, don't hesitate to eat in the small modern addition just to the right of the main entrance. It, too, has atmosphere. Here you remove your shoes and sit on the floor but put your feet in a well—much more comfortable for most foreigners than sitting on tatami mats. You will be seated on a rush "cushion" along a counter with your own little cook stove in front of you and the center of attention in this restaurant is that special cooking vessel. It's the digging part of a hoe. The story is told that in the Kamakura Period a group of nobles and warriors had been hunting. On their way home, they became hungry so asked a farmer to prepare their game. The poor farmer was distraught—he didn't have dishes or cooking pans for so many people. What to do? What to do? I have no idea how he thought of it, but he suddenly realized that he had a lot of hoes (maybe he borrowed from his neighbors) and they could serve as both a cooking surface (without handles, of course) and a dish by grilling the meat and vegetables on the hoe with the fat of a bird. The nobles and warriors were charmed with this simple and rural taste and in the course of time, the dish became known as Goryo Kuwa-nabe (hunting-hoe-pan) and is said to be the forerunner of sukiyaki.

GRILL TSUBOSAKA, 122 Tominagacho, Gion, is also located in the general area of the above-mentioned restaurants, conveniently in the Gion District and within walking distance of Shinmonzen Street or the Kiyomizu Temple area. For the first visit, have someone from your

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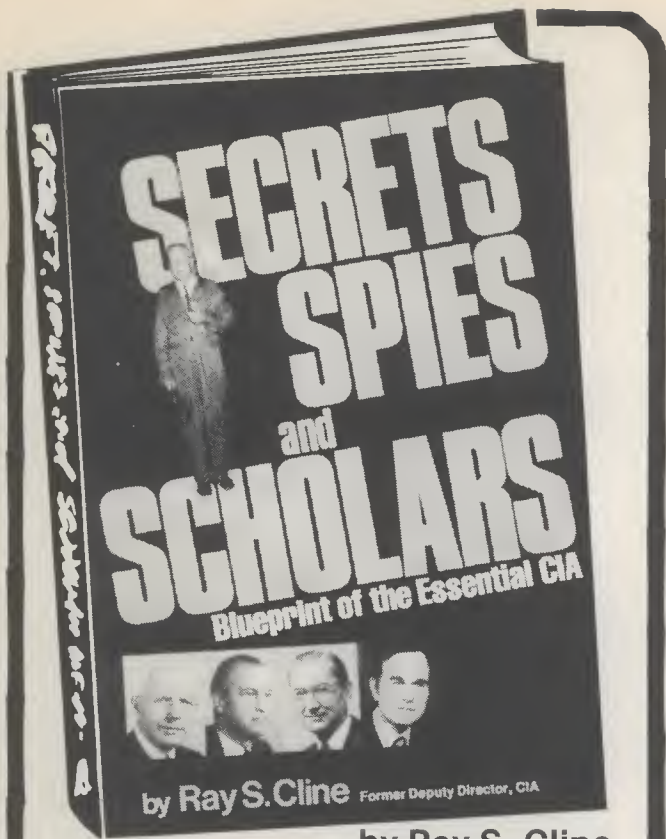
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hotel telephone 561-3923 for exact directions to give the taxi driver. This is a moderate to expensive restaurant depending on what you order, featuring French/Western cooking. There is a daily luncheon special which will probably not be listed on the English menu but you can ask about it—it's called the *teisho-ku* (tay-sho-koo) in Japanese. For instance, on our last visit, we had delicious fresh plump fried oysters served with rice, lettuce, tomato and cucumber for Y600 (about \$2.00). Full-course meals run to more, of course. When I was first introduced to the Tsubosaka, it was a rather rustic little place and I remember the owner cooking behind the counter turning out some pretty wonderful-tasting (and inexpensive) dishes. The owner still comes in but there's been a lot of modernization even in Kyoto so the Grill Tsubosaka isn't quite as simple as it once was although the entrance is very unprepossessing and is even easy to miss altogether. You slide open the little door and find yourself in a sort of hallway. Someone will quickly dart out and greet you with numerous *irasshaimase's* (welcome, welcome) and you will see the original front room and counter while they will urge you gently but insistently towards the rear where there is a "proper" dining room. For old times sake, I have always resisted these urgings and eaten in the front where I can also watch the kitchen at work or attempt a conversation with the owner in fractured Japanese.

There are hundreds of restaurants in Kyoto—including some fine hotel specialty restaurants. If your stay in Kyoto runs to several days, make your own "discoveries" and happy eating!



### MEXICAN CHRISTMAS

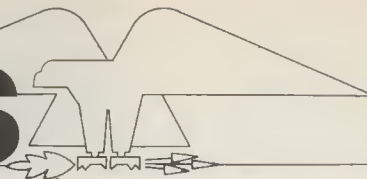
Wild lights dance above  
 the busy streets at night,  
 challenging the daytime sun in splendor.  
 Below, they sometimes take on forms  
 seen only once a year,  
 and sometimes brighten celebrating figures.  
 At this, the happiest of times.

Busy shoppers wander through  
 the decorated stores,  
 seeing what they want and buying what they can.  
 City tourists crowd the streets  
 with slow and idling cars,  
 congratulating joyful Christmas scenes.  
 At this, the happiest of times.

Ragged boys too young to be alone  
 on city streets at night  
 beg for things to make a merry Christmas.  
 At this, the happiest of times.

*Elizabeth Ann Nadler*

# AFSA NEWS



This portion of the JOURNAL is the responsibility of the Governing Board of AFSA and is intended to report on employee-management issues, conditions of employment and the policy and administration of AFSA, including its Board, Committees, and Chapters.

Members wishing to send letters on employment, working conditions or AFSA affairs should get them to AFSA by the 10th of the month preceding desired publication.

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NEXT MONTH: New Board Members, Tax Tips

## HEMENWAY RECALLED

The AFSA Membership, voting in a mail secret ballot election between October 1 and November 15, has recalled John D. Hemenway from the office of President of the Association, according to a November 17 report from the Recall Committee. Voting was as follows:

Membership (as of November 15):	6,100
Ballots received as of November 15:	3,279
Ballots invalidated	353
Total valid Ballots	2,926
Valid Ballots:	
For Recall:	2,751
Against Recall:	175

Mr. Hemenway's recall required a simple majority of Members casting valid ballots. It was effective on the date that the Recall Committee certified the results of the election to the AFSA Governing Board, i.e., November 17, 1976.

At a November 17 meeting, the Board determined that the Vice Presidents (Lars Hydle and Charlotte Cromer), in order of precedence, would act as President while that office is vacant. Pur-

suant to Article IV.2, the Board will appoint an AFSA Member to fill the remainder of Mr. Hemenway's term, which expires July 15, 1977. The Article provides that "... whenever possible, Officers shall be appointed from among the elected Representatives." Pursuant to a Board regulation, and consistent with practice throughout 1976 in filling vacancies, the Board will seek the advice of the Membership before exercising its power of appointment. At its November 17 meeting the Board opened nominations and determined that it would close nominations on December 1, 1976. The Board invites advice of Chapters or Members before that date.

## NOTICE ON CORRESPONDENCE TO FORMER PRESIDENT

The Association is forwarding unopened to Mr. Hemenway at his home address, 4816 Rodman Street, NW, Washington, DC 20016, any correspondence it receives which is addressed to him personally or without his former AFSA presidential title. Members who wish to correspond with him are urged to do so directly to that address.

Correspondence addressed to Mr. Hemenway by name and with his former AFSA presidential title, but not "personally," will be opened and either forwarded to him or dealt with through AFSA internal procedures, as appropriate. Members who wish to correspond with the Association or with the office of its President but not with Mr. Hemenway personally, are urged not to put his name on the envelope.

The Association's records of correspondence which has been sent to Mr. Hemenway while he was AFSA President are incomplete. Members who have written to him but have received no response and still wish the Association to respond, are urged to write to us again.

## BRUCE AWARDS WINNERS ANNOUNCED BY FSJ BOARD

The Journal Editorial Board met on November 7 for final consideration of the Bruce contest entries. Out of some 70 submissions, the following were awarded prizes:

**First prize (\$500):** "Their Revolutions—and Ours," by David D. Newsom, Ambassador to Indonesia. (FSJ, November).

**Second prize (\$300):** "The Gilded Telephone," by John Bovey, FSO-retired. (FSJ, October).

**Additional Prize (\$100):** "Congress, the Executive and Human Rights Legislation," by Donald C. Johnson, FSO-6. (FSJ, December).

**Additional prize (\$100):** "Public Diplomacy in the U.S. Government," by Hans N. Tuch, Career Minister (Information). (FSJ, September).

As Ralph Smith, Chairman of the Journal Board, wrote to Ambassador Bruce, the Editorial Board had great difficulty in choosing from the many fine submissions and a number of articles not chosen for prizes will be published, and some already have been. The Editorial Board has expressed its deep appreciation to Ambassador Bruce and wishes to add its thanks to the many entrants.

## SIVARD'S WASHINGTON SERIES EXHIBITED

Our December cover artist, Robert Sivard, now retired from USIA, has an exhibit of Washington paintings at the Haslem Gallery, December 4 through January 7. His "Washington Series" is also featured in the December *Smithsonian Magazine*. Many of the paintings are of Washington buildings which no longer exist or which have changed drastically over the years. The scenes of the Federal City of earlier years are peopled with notables of the time.

## REPORT OF THE AFSA COMMITTEE ON PRESIDENTIAL APPOINTMENTS

President-elect Jimmy Carter has promised to appoint competent, capable people to senior posts in his administration. One area of major reform, he has said on several occasions, will be in the choice of ambassadors. Reform is badly needed to give our country better representation abroad.

The traditional practice of naming large numbers of political ambassadors—the average since FDR took office has been 37 percent—has been a disservice to the nation as well as to the career foreign service. The competence of an ambassador to handle his responsibilities well has a direct bearing on the success or failure of foreign policy. A qualified professional who has served in various foreign posts and has experience in policy formulation in Washington should be better prepared for these responsibilities than the non-career envoy. It makes little sense to recruit and train a corps of foreign service professionals, to give them years of experience at their trade and then to shunt them aside to make room for unqualified political ambassadors.

As Sir Harold Nicolson says in his classic work *Diplomacy*;

“It will always be desirable that the foreign policy of any great country should be carried out by professionals trained in their business. Amateur diplomatists (as the United States and USSR are coming to recognize) are prone to prove unreliable. It is not merely that their lack of knowledge and experience may be of disadvantage of their governments, it is that the amateur diplomatist is apt out of vanity and owing to the shortness of his tenure to seek for rapid successes; that he tends, owing to diffidence, to be over-suspicious; that he is inclined to be far too zealous and to have bright ideas; that he has not acquired the humane and tolerant disbelief which is the product of a long diplomatic career and is often assailed by convictions, sympathies, impulses; that he may arrive with a righteous contempt for the formalities of diplomacy and with some impatience of its conventions; that he may cause offence when he wishes only to inspire geniality . . .”

We agree with the soundness of Nicolson's basic point even if he was a product of a different social system than ours. In foreign affairs as elsewhere professionalism results in superior performance. In the American context, however, we believe that diplomatic professionalism gains by the infusion of highly qualified non-career ambassadors. The leavening keeps the Foreign Service current with the mainstream of American thought and prevents the development of mandarin tendencies. Some of our non-career envoys have been among our most distinguished representatives—David Bruce, Ellsworth Bunker, Averell Harriman, Douglas Dillon, John Kenneth Galbraith, and Edwin Reischauer—all come readily to mind. The practice of choosing outstanding men and women from business, politics, and academia should be continued because it enriches the career service with outside expertise. But the notorious “sale” of ambassadorships is an offensive anachronism and should be ended once and for all. We can no longer afford the Maxwell Glucks, whose 1957 confirmation hearings revealed his ignorance of the Ceylonese Prime Minister's name, or the Vincent deRoulets, the Nixon nominee, whose gauche conduct strained relations with Jamaica. We also can no longer afford the Pat Hurleys, whose wartime blunders in China and unfair attacks on his career staff cost our nation dearly.

The American practice of sending such a large proportion of non-career representatives abroad is unique among the major powers. Great Britain has only one non-career envoy at the moment, West Germany two, France has three. As the tables below show, the percentage of non-career ambassadors since 1933 has averaged 37 percent. The statistics show little variation between Democratic and Republican administrations. As the theme from “Casablanca” goes, “It's still the same old story.”

We think the time has come to set a limit to the number of non-career appointees as a percentage of the overall total. Ten per cent globally and 15 per cent in any region strikes us as a good mix. The present 33 per cent seems too high. (Regional percentage breakdown: ARA 48, EUR 42, EA 27, NEA 23, and AF 12.) In particular, however, we do not believe that the nation has anything to gain from the continuation of political appointments of the more traditional, or “hack” sort. Non-career ambassadors should be chosen only when they can bring special strengths to the conduct of foreign policy.

### What the Statistics Show

The percentage of career ambassadors increased after World War II, but no President varied more than a few points from the average, even though the number of missions jumped from 50 to over 120 as former colonies became independent states. The global numbers mask substantial regional variation: political appointments have been heaviest in Europe and fewest in Africa and the Near East and South Asia.

#### Chief of Mission Appointments—1933-76 By President

President	Career	Non-Career	Per Cent Non-Career
FDR	117	92	44
Truman	115	63	35
Eisenhower	156	72	32
Kennedy	72	52	42
Johnson	94	56	37
Nixon	157	73	32
Ford	47	29	38
Total	758	437	37

### Latin America

Over the years, a preponderance of professionals have headed our missions to Latin America. FDR's pattern of roughly two career for each non-career envoy was followed until the Ford administration which reversed field to appoint 62 percent non-career ambassadors.

#### Chief of Mission Appointments to Latin America 1933-76

President	Career	Non-Career	Per Cent Non-Career
FDR	54	29	35
Truman	36	19	35
Eisenhower	38	22	37
Kennedy	16	6	27
Johnson	20	12	38
Nixon	35	11	24
Ford	6	8	62
Total	204	107	34

## Europe

Europe has been the happy hunting ground for the political appointee. Harry Truman was the only President to send less than 40 per cent non-career envoys. FDR sent the largest number with 58 percent, but Nixon followed closely with 55 percent. The non-career share of Western European posts is probably greater today than in FDR's day since in the 1930s it was common to send non-professionals to Eastern Europe.

### *Chief of Mission Appointments to Europe 1933-76*

President	Career	Non-Career	Per Cent Non-Career
FDR	39	53	58
Truman	37	24	39
Eisenhower	37	25	40
Kennedy	17	16	48
Johnson	17	20	54
Nixon	24	29	55
Ford	12	11	48
Total	183	178	49

## Africa

Following the surge of new states in the 1960s, Africa now has a quarter of our embassies. Under Kennedy, a third of ambassadorial appointments were non-career. The figure has dropped sharply since. In FDR's day the percentage of non-career appointees was substantially higher, but we had missions in only three countries—Ethiopia, South Africa, and Liberia.

### *Chief of Mission Appointments to Africa 1933-76*

President	Career	Non-Career	Per Cent Non-Career
FDR	4	3	43
Truman	5	2	29
Eisenhower	15	4	21
Kennedy	17	9	35
Johnson	31	7	18
Nixon	50	9	15
Ford	16	2	11
Total	138	36	21

## Near East/South Asia

Like Africa, NEA has had 79 percent career envoys. The data show little variation between administrations. Today all ambassadors to Middle East countries are career officers with the non-career ambassadors principally in South Asia.

### *Chief of Mission Appointments to the Near East/South Asia 1933-76*

President	Career	Non-Career	Per Cent Non-Career
FDR	13	3	19
Truman	25	6	19
Eisenhower	33	8	20
Kennedy	14	5	26
Johnson	15	3	17
Nixon	23	8	26
Ford	10	2	23
Total	133	36	21

## East Asia

East Asia has fewer posts than the other regions and the table indicates the widest fluctuation between administrations. Eisenhower sent only 17 percent non-career envoys, but none in his second term. Kennedy sent 63 per cent. In recent years, Australia and New Zealand have become favorite outposts for political appointees. Canberra was the intended recipient of one of FDR's more exotic political payoffs—Ed Flynn, the Democratic "boss" of the Bronx. This was one of the few times that the Senate refused to go along.

### *Chief of Mission Appointments to East Asia 1933-76*

President	Career	Non-Career	Per Cent Non-Career
FDR	7	4	36
Truman	10	8	44
Eisenhower	30	6	17
Kennedy	6	10	63
Johnson	10	7	41
Nixon	20	6	23
Ford	3	1	25
Total	86	42	32

## Multilateral Organizations

Few career officers have been assigned to head our missions at multilateral organizations.

### *Chiefs of Multilateral Missions (NATO, OAS, OECD, etc.) 1933-76*

President	Career	Non-Career	Per Cent Non-Career
FDR	—	—	—
Truman	2	4	67
Eisenhower	3	7	70
Kennedy	2	6	75
Johnson	1	7	88
Nixon	5	10	67
Ford	1	4	80
Total	14	38	73

The United States did not always follow the current practice. In the early days of the nation, ambassadors included some of our most distinguished leaders: Benjamin Franklin, Thomas Jefferson, John Adams, James Monroe, Albert Gallatin and John Quincy Adams. But by the 1840s the spoils system enveloped diplomatic assignments along with domestic jobs.

The United States created a career diplomatic service in the 1920s but this has had limited impact on the pattern of ambassadorial appointments. Since World War II, there have been periodic calls for reform. In the 1950s the Gluck affair focused attention on the problem, but resulted in no change. In 1973, Senator Fulbright advocated stricter standards and a ceiling on non-career envoys. The Nixon administration opposed Fulbright. In 1976, the Senate adopted Senator Mathias's proposal to limit non-career ambassadors, but the measure was dropped in conference. Now the President-elect in his book, *Why Not the Best?* and during the campaign, most notably in the third debate, has urged an end to the ambassadorial spoils system.

James Reston wrote recently that Jimmy Carter will inherit the finest Foreign Service in the world. It is our hope that the new President will put this statement to the test and give career officers the opportunity to prove their competence.

# 1977-1978 AFSA SCHOLARSHIPS AND OTHER SCHOLARSHIPS FOR F.S. JUNIORS

Applications are being mailed out for the 1977-1978 AFSA Merit Awards Program for 12th (and graduating 11th) grade high school and preparatory school students and for the 1977-1978 AFSA Financial Aid Program for college and university undergraduate study.

For applications and information, write to The AFSA Committee on Education, 2101 E Street, NW, Washington, DC 20037. The deadline for completion of the application is February 15, 1977.

## OTHER SCHOLARSHIPS AVAILABLE TO FOREIGN SERVICE CHILDREN

The Association has been informed that the following scholarships are available to children of Foreign Service personnel. Applicants should write for complete information to the schools, colleges and universities indicated:

*Castilleja School*, Palo Alto, California. Scholarships are available to daughters of personnel in the Foreign Service Agencies or of US Military personnel serving overseas who are registered at Castilleja School for admission to grades 7 to 12, inclusive. For complete information write to the Headmaster, Castilleja School, 1310 Bryant St., Palo Alto, California 94301.

*Dartmouth College*: S. Pinkney Tuck Scholarship. For students at Dartmouth College who are the children or grandchildren of Foreign Service officers of the United States and who are in need of financial assistance. Address inquiry to the Director of Financial Aid, Dartmouth College, Hanover, New Hampshire 03755.

*Middlesex School* Scholarship: Offered on a competitive basis for Grades 9 through 12 to the son or daughter of a Foreign Service family. For complete information write to the Headmaster, Middlesex School, Concord, Massachusetts 01742.

*The Hall School*: For the daughters of Foreign Service Officers, a \$1,250 tuition reduction is available. Formerly known as Miss Hall's, the School enrolls 160 students from grades 9 through 12. This reduction is offered in recognition of higher travel costs and represents 25% of the total tuition cost for 1976/77. For further information,

contact Mr. Scott Smith, Associate Director of Admissions, The Hall School, Pittsfield, Massachusetts 01201.

*The New Hampton School*: Offers a \$1000 abatement on tuition to foreign service boys and girls. The school enrolls approximately 225 students in grades nine through postgraduate. For further information write to Mr. Austin C. Stern, Director of Admissions, The New Hampton School, New Hampton, New Hampshire 03256.

*Northfield Mount Hermon School*: A \$1,000 reduction in tuition is offered all sons and daughters of US Government personnel stationed overseas in grades 9 through 12. This reduction is afforded in recognition of the higher travel cost experienced by such personnel. For further information contact President Howard L. Jones, Northfield Mount Hermon School, Northfield, Massachusetts 01360.

*St. Andrew's School*: Middletown, Delaware. The Norris S. Haselton Scholarship. Awarded to the son or daughter of a Foreign Service career officer where need is indicated. Write to Director of Admissions, St. Andrew's School, Middletown, Delaware 19709.

*The Shipley School*: Bryn Mawr, Pennsylvania; In addition to the regular financial aid program, the Trustees of The Shipley School announce a \$1,000 scholarship for daughters (entering grades 8-12 and a new postgraduate program) of officers of the American Foreign Service or of US Military & Government personnel serving overseas. Grants are based on need, as computed by the Educational Testing Service in Princeton, New Jersey. For further information, contact Mrs. Joseph N. Ewing, Jr., Director of Admissions, The Shipley School, Bryn Mawr, Pennsylvania 19010.

*Vassar College*: The Polly Richardson Lukens Memorial Scholarship is awarded at Vassar to children of Foreign Service personnel. Another scholarship, awarded by an anonymous donor, is granted at Vassar to the child of an American Foreign Service Officer. If no such applicant qualifies, the scholarship may be awarded to the child of an employee of the Federal Government or of a State Government. Both awards are based on financial need. Apply to Director of Financial Aid, Vassar College, Poughkeepsie, New York 12601.

*Yale University* Scholarship: A scholarship given by an anonymous donor is awarded each year to the son of an American Foreign Service Of-

ficer who demonstrates financial need. If no such applicant qualifies, the scholarship may be awarded to the son of a member of the United States Military Services, or of an employee of the Federal Government. Complete information is obtainable from the Director of Financial Aid, Box 2170 Yale Station, New Haven, Connecticut 06520.

*Westover School*: Middlebury, Connecticut: Financial aid and scholarship awards for grades 9 through 12 are available to daughters of personnel in the Foreign Service Agencies or of US Military personnel serving overseas. Write Director of Admissions, Westover School, Middlebury, Connecticut 06762.

*Dana Hall School* is accepting applications from ninth grade girls who wish to compete for the Congdon Merit Scholarship, awarded annually regardless of need on a competition basis to an entering sophomore resident student. In addition to the \$1,000 prize, the winner is eligible for financial aid when warranted. Applications must be completed by February 10, 1977. Inquiries should be addressed to: The Congdon Prize Scholarship, Dana Hall School, Wellesley, Mass. 02181.

## FSECC INFORMATION

The Foreign Service Educational and Counseling Center, located on the 3rd floor of the AFSA building, welcomes visitors from the foreign affairs community who may wish to look through its expanding library of current directories, periodicals and books. The Center is open 9 a.m.-3 p.m. Monday through Friday. If a publication has been useful to you, the Center would appreciate the information.

The Center responds to specific requests for information and provides counseling and suggests that persons with such requests write or phone in advance for an appointment so that ample time may be set aside. Letters and phone calls from persons outside of the Washington area are acknowledged within the week. Contact: Mrs. Bernice Munsey, Director/Counselor, FSECC, 2101 E Street, N.W., Washington, D.C. 20037. Phone: 202-338-4045.

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## HEMENWAY RECALL PETITION RULED DEFECTIVE

At its November 1 and 5 meetings, the Governing Board discussed the recall petition submitted by Mr. Hemenway against Board members, and twelve other AFSA Members, the former "Interim Recall Committee" and the principal proponents of his own recall.

The Board adopted the following resolution, moved by Mr. Hyde (operative paragraphs only) which followed closely the advice given by the Legal Committee:

"1. The above-cited petition is a nullity insofar as non-Board Members are concerned, for the following reasons:

- AFSA Members who are not Board Members are not subject to recall pursuant to Article X;
- No specific charges have been made against these AFSA Members, nor have the Interim Recall Committee Members been named individually, and therefore there is no basis for proceeding against them under Article II.6 regardless of the number of signatures on the petition;
- The text of the petition's signature block does not indicate that the signatories in fact wish to take any action against these Members. (passed by a vote of 10 in favor; 1 abstention; Hemenway opposed)

"2. The Legal Committee is requested to report expeditiously with a draft of the disciplinary procedures envisaged in Article II.6,

*consistent with Article III of the Bylaws, and rights of AFSA Members guaranteed by applicable law and regulation, including the Landrum-Griffin Act. (Italicized portion proposed by Mr. Hemenway and accepted by the mover of the motion. Passed as amended, 11 to 1, with Mr. Hemenway opposed).*

"3. With respect to Board Members, the recall recommendation is defective, and therefore does not, in its present form, provide an adequate basis for proceeding under Article X and the recall regulation, for the following reasons:

- It does not name individually the Board Members whose recall it purports to recommend;
- It does not specify which Board Members allegedly have committed which offenses, and it alleges "gross violations of the bylaws" but, except for the reference to Article VII.4.g, does not specify which provisions of the bylaws, if any, have allegedly been violated by which Board Members;
- It is not clear, from the text of the signature block and statements made by Mr. Hemenway, whether the recall proponents in fact wish their recommendation to be handled according to Article X and the recall regulation.

*The Board is prepared to move ahead and handle this petition in the same way that it handled the*

*only other previous recall petition that was put before it when, and only when, these defects are corrected. (italicized portion proposed by Mr. Hart and accepted by mover of motion. Passed 7 to 1, Hemenway opposed)."*

Subsequently, on November 9, five Board Members (Hydle, Cromer, Ward, Woodring, and Wolfe) wrote to Mr. Hemenway, pointing out that the Board had long ago, on the advice of the Legal Committee which had consulted the Department of Labor, concluded that the hearings he has demanded are not necessary in recall cases. The Board Members indicated, however, that if he would state in writing that he and his co-signatories wanted the petition to be handled in accordance with Article X and the recall regulation, and would correct the other defects in the petition, they (the five Board Members) would not insist that he obtain new signatures on the corrected petitions (as the Legal Committee had said was desirable) before submitting their own cases to special meetings of the Washington Membership and the Chapters.

### SUPPORT AFSA LEGAL DEFENSE FUND

#### Potential Benefits for All Foreign Service Personnel

AFSA has decided to help finance an appeal of a Tax Court decision, described in last month's *Journal*, that home leave expenses are not tax-deductible for Foreign Service personnel.

A favorable decision by the 4th Circuit court, which would corroborate an earlier favorable decision by the 9th Circuit Court, could be of benefit to all members of the Foreign Service community.

Your contributions are urgently needed to help pay for the suit, which AFSA will jointly support along with the Thomas Legal Defense Fund. Contributions are considered tax-deductible for US income tax purposes. A contribution of \$5.00 or more will greatly assist the AFSA Legal Defense Fund.

Make checks out to AFSA Legal Defense Fund and mail to AFSA, 2101 E Street, NW, Washington, DC 20037.

## ANTI-TERRORISM POLICY CONTINUES TO CAUSE CONCERN

AFSA has made a number of protests to the Department, Secretary Kissinger and President Ford against the present inadequate anti-terrorism policy. AFSA protested President Ford's meeting with President Nimeiri. AFSA has regularly asked the Department about the status of the Cyprus and Lebanon incidents which resulted in the murders of our Ambassadors, Francis Meloy and Roger Davies.

As a further effort for more effective action, AFSA sent the following telegram to President-Elect Jimmy Carter:

"The American Foreign Service Association, representing about 9000 foreign service employees, supports vigorous and effective measures by the U.S. government against governments

which harbor, support, or release international terrorists. We believe that the U.S. government has yet to take sufficiently effective action against these governments and call upon you to make known your position on what the U.S. government should do to dissuade other governments from assisting international terrorists who have in the past killed, kidnapped, and wounded American foreign service and other personnel abroad.

"Specifically, we ask that you support a thorough and complete review of our present inadequate terrorism policy and support further efforts to strengthen the safety and security of American personnel abroad.

"We would appreciate your reply to this request and your specific recommendations as soon as possible. We are also sending this telegram to President Ford."

## NEW AFSA COUNSELOR



Wilbur P. Chase has been appointed to the position of Counselor on the staff of the Association. A former Foreign Service officer, Wil Chase has an excellent background for his new responsibilities. He joined the Foreign Service in 1945 and had extensive experience both overseas and in Washington before retiring in 1975. In addition to two tours-of-duty as a Personnel Officer in the Department of State, he had a number of *ad hoc* assignments dealing with personnel matters.

As Counselor, Wil reports directly to the AFSA Board. In addition to serving in a staff capacity for the Board and the Standing Committees, his duties will include counseling employees on grievance matters and representing them, as appropriate, in grievance proceedings, including before the Foreign Service Grievance Board. He may also represent the Association during consultations and conferrals with management under Executive Order 11636 and before the several adjudicative bodies.

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## SENIOR PROMOTIONS

On October 13 AFSA and management were able to resolve the disagreement concerning a portion of the precepts for senior selection boards with the help of the Disputes Panel. This solution permitted Board III to be convened with only a two-day delay. Boards II and I are beginning their work as scheduled.

Our disagreement with management was over whether boards should be asked to make recommendations for future assignments and training and observations about the particular strengths of certain officers. This reflects our conviction that there needs to be a closer connection between promotion and assignment at senior levels.

The settlement reached was, in our view, substantially better than could have been achieved without resorting to the Disputes Panel. The decision to delay the convening of Board III was strictly a management decision. AFSA's position throughout was that the Boards could be called as scheduled.

While this issue was substantive and worth fighting for in its own right, it also had wider implications for maintaining AFSA's credibility with management. We believe it was well worth the effort.

## Foreign Service People

### Deaths

**McClintock.** Robert M. McClintock, retired Ambassador, was killed November 1 when he was struck by a car in Beaune, France. Ambassador McClintock joined the Foreign Service in 1931 and served at Panama, Kobe, Santiago, Ciudad Trujillo, Helsinki, Stockholm, Brussels, Cairo, Saigon, Phnom Penh and Vientiane. He was appointed Ambassador to Cambodia in 1954, to Lebanon in 1957, to Argentina in 1962, and to Venezuela in 1970. Ambassador McClintock was named Career Minister in 1962 and received the Superior Service Award in 1959. He retired in 1975. He is survived by his wife, Elena Barrios McClintock, of 2737 Devonshire Place, N.W., two sons, John Martin, of Bangkok, and R. David, of Arlington, a brother and sister and three grandchildren.

## AID's Ls TO CAREER STATUS

We are pleased to announce that consultations are once again underway by AFSA with AID for establishing new procedures for converting Foreign Service employees serving "time-limited" appointments to "career" appointments.

These procedures will implement the AFSA/AID agreement of March 29, 1974 which established the policy and the principles for such conversions. While the 1974 Agreement did not preclude the Agency from converting "L" employees under the criteria previously in effect, no action was taken because of the subsequent RIF.

Conversions of "L" employees to "career" status will improve the security and morale of AID's Foreign Service. However, AID does not have a Foreign Service career system comparable to the State and USIA systems because an AID "career" employee can be easily terminated on the basis of his or her six-digit position code, regardless of the employee's skills commensurate with the rank-in-person principle.

**Palmer.** Gardner E. Palmer, FSO-retired, died on October 20, in Washington. Mr. Palmer joined the State Department in 1942 and entered the Foreign Service in 1950. He served at Santiago, Vienna, Phnom Penh, Saigon and Vientiane, as deputy assistant secretary of State for Far Eastern economic affairs, and as counselor for economic affairs with the rank of minister in Tokyo. After his retirement in 1963, he served as Executive Director of the American Foreign Service Association from 1966 to 1969, during which time AFSA purchased its headquarters at 2101 E St., N.W. Mr. Palmer helped organize the first Foreign Service Day in 1965, served as Vice President of DACOR and on the Executive Committee of the Citizens Association of Georgetown. He is survived by his wife, Mildred Rudell Palmer, 1219 29th St., N.W., Washington, D.C. 20007. Contributions in his memory may be made to the DACOR Educational and Welfare Fund.

**Phelps.** Dr. Vernon L. Phelps, FSO-retired, died on October 10 in San Diego. Dr. Phelps joined the State Department in 1937 and entered the Foreign Service in 1952. He served at Tokyo and Bonn before his retirement in 1958. Dr. Phelps also served as negotiator at international conferences on tariffs and trade. He is survived by his wife, Irene, 2404 Loring St., San Diego, California 92109.

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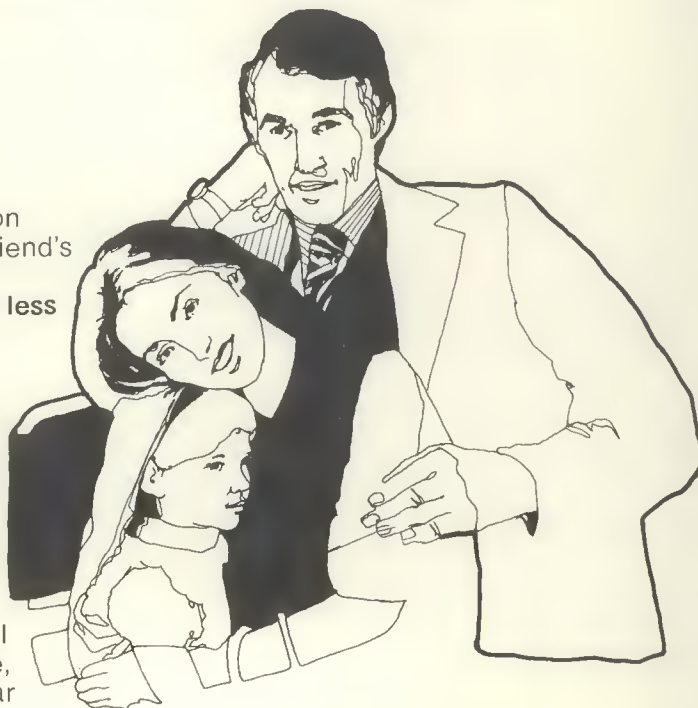
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