

Letters

Dear Sir,

I wonder whether, in your editorial “Trusting Mr Howard on Europe”, in your last issue, you are quite accurate in saying, “As governed by treaty, the Common Fisheries Policy is part of the legal requirement of EU membership.”

In my understanding, an international treaty is an agreement, worked out by interested states over a long period of time, to conform to certain agreed understandings and rules governing the subject matter of the treaty. If a state signs up, it undertakes as a preliminary to amend its domestic law so far as may be necessary to bring it into conformity, enabling it eventually to ratify the treaty.

Jurisprudence governing treaties between states recognises various ways in which a state may join a treaty without subscribing to the whole. These include interpretive declarations, reservations and protocols. A state which signs a treaty with reservations may attract objections from other states party to the treaty. Depending on the subject matter of the treaty, the effect of such may be to limit relations between the reserving and the objecting parties. A state entering a treaty can also attempt to get up a faction to support pasting a protocol in the front of the treaty modifying what it is about.

I mention these details by way of making two points. First, which of these was Mr Howard proposing? Interpretive declarations, limiting the UK’s participation? Reservations? Surely not! Both are hated by lawyers and civil servants and certain to result in objections from states. Protocols, then. This I take it was roughly the point you were urging.

Secondly, whichever of these he had in mind, it would be very interesting to watch him put it into effect. For the only ground on which any of these reluctances may be opposed is not, as you seemed to suggest, that it is unlawful, but that it is not in conformity with the Object and Purpose of the treaty.

If Mr Howard were enabled to—what? denounce the Treaty of Rome and sign up to it with reservations? Attempt protocols?—the other member states would be obliged to tell the world what the Object and Purpose of the bundle of treaties comprising the EU in fact is!

I take it I am uncontroversial in suggesting that telling the world *why* the European states want to move beyond a common market to a federation of states under common government would be utterly novel and unanticipated. Butter, is it—or guns? Only mountains of marge—or diplomacy and peace in our time with it? Some of us, anyway, think we should be told; even if that ain’t democratic, as now everywhere understood, so to be.

Yours sincerely

Robert Marchant

A letter to another editor

Dear Sir,

Arch Puddington's onslaught (*Commentary* October 2004) takes Noam Chomsky's politics far more seriously than Chomsky does himself. Professor Chomsky's opinion is that all human thinking is scientific. It is natural to him to mention "rational enquiry (that is, the approach of natural sciences)" (Noam Chomsky, *The Architecture of Language*, ed. Nirmalangshu Mukherji, Bibudhendra Narayan Patnaik and Rama Kant Agnihotri, New Delhi (2000) 2001, p. 2) without any misgivings that there could be any other modes or styles of rational inquiry. He accepts the consequence that his work in political polemic must be accounted solipsistic: "My political views are my own. Anything that one says about politics, of course, has to do with community and culture. ..." which are not susceptible to rational enquiry. "That is not to say that questions about community, culture and language are unimportant. They are extremely important ... it is just that we have little scientific understanding of them." (*Ibid.*, p. 42) For Chomsky "little scientific understanding" is the same as "little understanding"; his "own" pronouncements therefore in his own view show little understanding and are of no interest to anyone else. It is a nicer question why in that case they are of any interest to Chomsky himself. But the last thing he claims is the intellectual rigour for which Mr Puddington reports Chomsky's political writings are renowned.

Although in my view Professor Chomsky is profoundly wrong about the nature of human thinking, with disastrous results for his grammatical studies, I do not see why here we should not take him at his word and refrain from treating his politicking with a seriousness he cannot himself grant it.

Yours faithfully

Ian Robinson