Egypt's Policy Examined
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Treaty Abrogation Is Seen as Move Toward Attaining Sovereignty

TO THE EDITOR OF THE NEW YORK TIMES:

In the name of the free world our gallant allies the British are engaged in using tanks and cannon against the civil police of another ally, Egypt, equally gallant but less powerful. Will a new Dr. Johnson arise with a new dictionary, with new definitions of "freedom" and "democracy"?

While the United States has, apparently, refrained from participation in this dispute, public opinion, as reflected in your editorial of Jan. 26, tends to regard the Egyptians as in some way responsible for their own misfortunes. This assumption deserves examination.

It may be possible to sum up the case against Egypt as follows: Egypt is wrong in abrogating the 1936 treaty, and consequently the implementing legislation is invalid; Egypt is wrong in not sensing danger to the Suez Canal, which would make her welcome its defense by England, or other "free" Powers; Egypt threatens to obstruct the operation of the Suez Canal, in defiance of the international conventions governing its use; Egypt is backward, corrupt and inefficient, and deserves pity but not consideration; specifically, Egypt has used or encouraged violence against the British garrison, thus entitling the British to take any desired counter-measures.

Canal Ownership

Of these five charges the third is perhaps the most widely quoted. It ignores the fact that the operation of the canal is in the hands of the Suez Canal Company, a private corporation. While it is possible that the present disturbances have hampered and delayed the operations of this company, no evidence has been advanced to show that the shipping of all nations is not passing through the canal substantially as usual. This is, presumably, with the exception that cargoes of a military nature destined for Israel are still not cleared through the Egyptian ports of Suez and Port Said, but that is a special situation.

We are not told that England has taken charge of the canal traffic to permit such cargoes to clear for Israel. If not, and if England is operating the canal, as assumed, England would be condoning any Egyptian offense in this regard.

The other charges are all true, in a sense, but arguable, or specious, or irrelevant.

It is popular, but idle, to accuse Egypt of badness and corruption. Aside from the adage about the pot and the kettle, I would invite skeptics to examine the published legislation passed since the Wafd party came to power two years ago. It is a record of very considerable social progress: founding of two new universities, making education free and universal, introducing social security and improved working and living conditions, raising tax rates, encouraging commerce and industry. We should not indulge in gratuitous insults of this sort against a country without inquiring into the facts.

The other three charges are separable, but belong together. Egypt's ideals are essentially those of the Western Powers, and if she felt such danger as existed in 1936 or in 1939, it is unlikely that the treaty would have been abrogated. Actually, in the abrogation, Egypt has appealed to the legal doctrine of "rebus sic stantibus," that is to say that the conditions which called forth the treaty no longer exist and, in one way or another, international law must take account of this principle in the case of legal obligations which are, like this one, of an indefinite term. Otherwise a nation would be bound by an outmoded agreement without prospect of relief.

It is unfortunate that Egypt lacked our acute sense of this danger. Lacking that, however, and sovereign, Egypt took steps which are inherent in sovereignty.

Presence of Troops

The treaty was abrogated after years of negotiation and with one year's specific warning. Then events took their course. Whatever may be the attitude of other nations, the Egyptians themselves had to accept the action of their Government and refuse assistance to the foreign troops, whose presence now became illegal according to Egyptian law. That incidents of a serious nature should follow was inevitable.

Egypt has not the physical power to eject the British troops, though their use of the base is of limited value under the present circumstances. On the other hand, England has the power to do immense harm to stability and orderliness and all that we call civilization in Egypt. In times of violence reasonable men must yield place to extremists and the power of the mob prevails over the forces of law.

All this is fully recognized in your editorial. It is not in the interest of the free world, or consistent with its announced objectives, to have such conditions prevail in Egypt, or to worsen as they surely will unless one or the other of the two contestants gives way. We in the United States are advised to reflect soberly which of the two should give way, or can.

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