Science and Human Rights: Ethics through Law

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1. The Enlarged Horizon of Human Rights

More and more visibly, the horizon for the protection and promotion of human rights is becoming that of the world itself. The more it is marked by interdependence and globalisation, the more extensively does people invoke human rights. Anywhere there is a threat to life and liberty, no matter in what part of the globe or in what cultural context, we hear the cry: human rights, human dignity.

The claims of those who suffer from dictatorships, warfare and misery create the effectiveness of international human rights law, every bit as much as do court verdicts. I am referring to the new international law that is rooted in the United Nations Charter, in the Universal Declaration of Human Rights, and in the two International Covenants of 1966, concerning, respectively, civil and political rights, and economic, social and cultural rights.

It is the profound conscience of human family members, especially the weakest and most vulnerable, that becomes a supreme tribunal.

In variously suitable ways, thousands human rights organisations and movements working above and beyond state frontiers are denouncing the violation of human rights. This does not mean that the law is dead and should be substituted, say, by regressing to the system of armed, border-based national state sovereignties ruled by the Peace of Westphalia in 1648. On the contrary, the incessant hammering of denunciations is proof of law effectiveness: in asserting the violation of fundamental human rights, far from indicating their death, we are establishing the responsibility of those who perpetrate crimes; we are saying that transgressors must be duly pursued at the national level and finally, today, at the international level as well.

Human rights law has an intrinsic force of resistance against

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violations, due primarily to the fact that through their international juridical recognition, genuinely human ethical principles (not the pseudo-ethical ones by which totalitarian doctrines have tried to assert the absolute nature of state power) have been inoculated into the heart of the international order, and have begun to transform it. A system once meant to discipline only state-to-state relations – putting life and death, war and peace on the same plane – has evolved toward a new legal order which, though formally produced by states and imposing obligations primarily on them, consecrates the original subjectivity of the human being; it fosters the life of each person, of all members of the human family; it favours dialogue and peace among the communities where persons and peoples organise and lead their daily lives.

In the middle of the 20th century, we have entered into an era of universal *ius positum*, of law that is *bonum sive iustum*, good and just: the antidote to *summus ius summa iniuria*, or law without justice. The new international law uses the same principles for inter-state relations and peoples relations, as it does within national boundaries. To respect this law implies a commitment to improve legal systems continuously, in light of *de lege semper perficienda*: the law must surpass itself in order to become more and more just and equitable.

This is the path of human improvement through law; the rule of law encounters the rule of love.

It should be emphasised that the «new» human rights law shares the traits of integral humanism; in particular, the exaltation of personal and social responsibility, and of the human being's positive creativity in building a more just, peaceful, democratic, beautiful world. The new law nourishes and strengthens human rights wisdom (*le Savoir des droits humains*), a holistic wisdom that builds bridges between separate kinds of knowledge, stimulating them to meet in the supreme value of human dignity.

Immediately after World War I, Alfred Zimmern, a founding father of the modern discipline of International Relations, warned that only when the international relations process is purified at its root will humanity finally be immune to the infection of war.

Emerging immediately after World War II, international human rights law is dedicated to purifying at root level not only world order, but also the individual national systems:

essentially bellicose ones. Let me point out that arms race is going on, in the last two decades military expenditure has increased. Unfortunately, disarmament still pertains to the realm of utopia.

Scientific analysis, precisely because it is scientific, can certainly not evade the diagnostic duty of calling this situation with its real name: cancer. War in the battlefield and war in our research establishments is cancer, with its immanent tendency toward metastasis. But I can also argue that cancer is the right name for a system of economic, financial and political relations that ignores the demands of social justice and positive peace.

Human rights are and must be «political agenda», before and beyond being judicial verdict. The law of human dignity, a real universal law, is an immanently political law, as is constitutional law, because it calls upon the very «form» of statehood to renew itself and to operate in an architectural context of world order in which we can actually enjoy, through adequate laws, public policies and positive measures, the sacred triad of liberties – freedom of thought, conscience and religion – proclaimed in Article 18 of the Universal Declaration in connection with the welfare philosophy enshrined in Article 25 of the same Declaration, and of course with the provisions of Articles 1 and 2 of the United Nations Charter.

2. Science(s) and Human Rights, Means and Ends

It is «all human rights for all» which call upon the world of sciences: and I mean all sciences, from physics to those focusing on economics and politics.

By saying «all» human rights, I have in mind not only civil and political rights, but also economic, social and cultural rights; all inherent to human dignity, all fundamental, all interdependent and indivisible, as reiterated by the well known Vienna Declaration of 1993, in obedience to the ontological truth that the human being is made of body and soul, of spirit and matter; a bearer of vital needs which are both material and spiritual. Collective rights, too, call upon sciences, and with particular urgency: I am referring to the so-called solidarity rights or strategy rights, such as the right to the environment, the right to development, the right to peace.

The eternal problem of the relationship between science and human rights is the problem between means and ends; between the autonomy of the scientific process and the ethics of personal and social responsibility.

The end is the human person: that is, respect for the dignity inherent in all members of the human family. Human dignity is assumed as the supreme value by the «new» international law, which declares that «respect for the dignity of all members of the human family and their equal, unalienable rights, is the foundation for liberty, justice and peace in the world» (Preamble to the Universal Declaration).

It is a fecund law, endowed with a strong capacity to develop; with spillover capacity in both normative and cultural terms. The Universal Declaration was followed by 132 juridically binding international instruments and by hundreds soft law instruments. Let me remind – just to cite a few – the two 1966 Covenants; the Convention on the Rights of the Child; the Convention against All Forms of Discrimination; the Convention on the Rights of Persons with Disabilities; on the regional level, we may mention the 1950 European Convention, the 1969 Inter-American Convention, the 1981 African Charter of Human Rights and the Rights of Peoples, the 2004 Arab Charter on Human Rights (into force in 2008). These sources, of a founding nature, are in turn completed by Protocols that further specify the rights and strengthen the obligations.

As the normative dimension evolves, so, too, does human rights culture. While it respects the value of endogenous cultural diversity, it urges peoples toward dialogue, and through dialogue to produce new, shared cultural expressions. In this connection, the 2005 UNESCO Convention for the Protection and Promotion of the Diversity of Cultural Expressions is particularly relevant. It offers instruction by illustrating and defining eight concepts; for example, «interculturality»:

> Interculturality refers to the existence and equitable interaction of diverse cultures and the possibility of generating shared cultural expressions through dialogue and mutual respect. (Article 4)

The eight Definitions are preceded by as many Guiding-Principles, the first of which says:

Cultural diversity can be protected and promoted only if human rights and fundamental freedoms such as freedom of expression, information and communication, as well as the ability of individuals to choose cultural expressions, are guaranteed. No one may invoke the provisions of this Convention in order to infringe human rights and fundamental freedoms as enshrined in the Universal Declaration of Human Rights or guaranteed by international law, or to limit the scope thereof. (Article 2)

The human rights paradigm is clearly placed at the core of intercultural dialogue. For intercultural dialogue to be fecund, it must not limit itself to being a mere exchange of information on various cultures, and to their comparison; it must lead peoples to share the universal paradigm in order to pursue together goals for the common good.

The human rights paradigm is the compass which current international law advocates use, as well, in the field of science and technology. The principle norm is found in Article 15 of the International Covenant on Economic, Social and Cultural Rights, today ratified by 160 states and recently endowed with an Additional Protocol – now being ratified – allowing presentation of individual complaints before the special Committee on Economic, Social and Cultural Rights, composed of 18 independent experts, which works side by side with seven other analogous bodies within the United Nations system. The text of the article reads:

1. The State Party to the present Covenant recognise the right of everyone: a) to take part in cultural life; b) to enjoy the benefits of scientific progress and its applications; c) to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author. 2. The steps to be taken by the States Parties to achieve the full realisation of this right shall include those necessary for the conservation, the development and the diffusion of science and culture. 3. The States Parties undertake to respect the freedom indispensable for scientific research and creative activity. 4. The States Parties recognise the benefits to be derived from the encouragement and development of international contacts and cooperation in the scientific and cultural fields.

3. What Benefit from Scientific Progress?

The fundamental right to benefit from scientific progress and its application must be considered and realised in connection with the other fundamental rights, in particular the right to life, to physical and psychic integrity, to health, education, work; but also with the already mentioned third-generation rights: that is, to peace, development and environment.
The explicit reference to the human rights paradigm in this sector was already present in the Universal Declaration and in a highly significant act preluding to pertinent normative production, in particular on the part of UNESCO and the Council of Europe. It is the United Nations Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, adopted by the General Assembly on 10 November 1975. After noting

> [...] with concern that scientific and technological achievements can be used to intensify the arms race, suppress national liberation movements and deprive individuals and peoples of their human rights and fundamental freedoms [...] scientific and technological achievements can entail dangers for the civil and political rights of the individual or of the group and for human dignity [...] the urgent need to make full use of scientific and technological developments for the welfare of man and to neutralise the present and possible future harmful consequences of certain scientific and technological achievements;

the General Assembly then solemnly declares:

> 1. All States shall promote international co-operation to ensure that the results of scientific and technological developments are used in the interests of strengthening international peace and security, freedom and independence, and also for the purpose of the economic and social development of peoples and the realisation of human rights and freedoms in accordance with the Charter of the United Nations,

further specifying:

> 2. All States shall take appropriate measures to prevent the use of scientific and technological developments, particularly by the State organs, to limit or interfere with the enjoyment of the human rights

and fundamental freedoms of the individual as enshrined in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international instruments.

As we see, this document already contains a precise indication of fundamental human rights instruments. Thanks, above all, to the Council of Europe and UNESCO, in the complex normative framework, the reference to a human rights paradigm becomes more and more specific and fitting, especially as regards the field of medicine and biotechnology. The Convention for the Protection of Human Rights and Dignity of the Human Being with Regard to the Application of Biology and Medicine, signed in Oviedo in 1997 and made effective in 1999, adds other international sources to those indicated in the United Nations Declaration, including the 1961 European Social Charter and the 1989 Convention on Children's Rights. I quote the first articles of the Oviedo instrument:

Article 1: «Parties to this Convention shall protect the dignity and identity of all human beings and guarantee everyone, without discrimination, respect for their integrity and other rights and fundamental freedoms with regard to the application of biology and medicine».

Article 2: «The interests and welfare of the human being shall prevail over the sole interest of society or science».

Article 3 establishes that «Parties, taking into account health needs and available resources, shall take appropriate measures with a view to providing, within their jurisdiction, equitable access to health care of appropriate quality». In doing so, it translates into concrete terms the meaning of the right «to enjoy the benefits of scientific progress and its applications», as declared by Article 15 of the International Covenant on Economic, Social and Cultural Rights, quoted above. This implies that the concrete realisation of the human right referred to occurs if governments – the first receivers of international norms – make an effort to offer everyone real access to medical care, beginning with basic care, by way of social policies and positive measures for the functioning of adequate health care systems.
In this sphere, UNESCO has adopted two Declarations, qualifying them with the adjective «universal»: the 1997

Universal Declaration on the Human Genome and Human Rights, and the 2005 Universal Declaration on Bioethics and Human Rights. Both Declarations deserve to be considered as the faithful companions of the Universal Declaration of 1948, the most «universal» one.
Let me quote some articles of the Declaration on the Human Genome:

Article 1: «The human genome underlies the fundamental unity of all members of the human family, as well as the recognition of their inherent dignity and diversity. In a symbolic sense, it is the heritage of humanity».

Article 2: «a) Everyone has a right to respect for their dignity and for their rights regardless their genetic characteristics; b) that dignity makes it imperative not to reduce individuals to their genetic characteristics and to respect their uniqueness and diversity».

Article 10: «No research or research applications concerning the human genome, in particular in the field of biology, genetics and medicine, should prevail over respect for human rights, fundamental freedoms and human dignity of individuals or, where applicable, of groups of people».

The Universal Declaration on Bioethics and Human Rights establishes a wide series of principles, all centred on human rights and human dignity.

Article 3: «1. Human dignity, human rights and fundamental freedoms are to be fully respected; 2. The interests and the welfare of the individual should have priority over the sole interest of science or society».

Article 8: «In applying and advancing scientific knowledge, medical practice and associated technologies, human vulnerability should be taken into account. Individuals and groups of special vulnerability should be protected and the personal integrity of such individuals respected».

Article 10: «The fundamental equality of all human beings in dignity and rights is to be respected so that they are treated justly and equitably».

As we see, the new international law intones a hymn to human

dignity and the rights inhering in it. In so doing, it accepts universal ethical principles, transforming moral duty into an obligation of *ius positum*.

4. Why Medicine and Biology and Not Other Scientific Fields?

Spontaneously, here, we wonder why human rights international law targets the field of medicine and biology and not – with equal determination – other fields as well, such as politics and economics. We may even wonder whether or not international law considers such fields as «scientific»; we may also be led to believe that it dares not deal with them, or that it wishes to dispense them from binding juridical norms based on ethical values.

Why does the new law «hound» physicians and biologists, while neglecting political scientists who, for the sake of neutrality in theoretical procedures, more or less explicitly justify and often exalt *Realpolitik* and war, as instruments that are as natural as peace in resolving conflicts?

Why does it neglect economists who, with certain little models of theirs – commissioned and applied by governments: this is the case for neo-liberist strategies – produce marginalisation, hunger and social degradation, and destroy vital hopes, particularly from persons who are most in need.

Why does it neglect those jurists who continue to make a distinction between the preceptivity and the mere recommendatory purport of human rights – cutting up the human being into two parts, the physical and the spiritual – while absolving states from the obligation to pursue goals of good governance? Why does it neglect physicists who seek for ways to strengthen the destructive capacity of military arsenals?

We certainly cannot close our eyes to the values expressed in Article 18 of the Universal Declaration, and in the analogous Article 18 of the International Covenant on Civil and Political Rights, which enshrine the sacred triad of freedoms, completed with the right to freedom of opinion and expression as declared in Article 19.

Pursuant to such norms, scientists are certainly free to do research, write and teach whatever they want; however, they cannot evade

the social responsibility encumbering them as «scientists», in the name of scientific neutrality. Their responsibility is all the greater, if possible, than that of government leaders who then impudently put such theories into practice.
It should be strongly emphasised that the general obligation to respect human rights, imperatively enshrined by Article 29 of the Universal Declaration, is applicable to everyone; and therefore, to other categories of scientists, who are not physicians or biologists:

> 1. Everyone has duties to the community in which alone the free and full development of his personality is possible. 2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing the recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society. 3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

The Universal Declaration indicates teaching and education as the fundamental pathway for realising human rights: it is a preventive way, the most effective kind. The pathway of Courts is the next phase: necessary and indispensable, certainly, but which operates *post factum*, once rights have been violated. We must emphasise that there can be no teaching if there is not education and training which, in turn, demand research. Article 26 of the Universal Declaration, establishing that «everyone has the right to education», specifies content:

> Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

Article 13 of the International Covenant on Economic, Social and Cultural Rights include the text of Article 26 of the Universal Declaration, further specifying that «education should enable all persons to participate effectively in a free society».
It should be stressed that this educational agenda regards not

only teachimg, but also all branches of scientific research.
In widening the horizon of educational mobilisation with the help of human rights law and knowledge (*le Droit et le Savoir*), today we can count not only on a restricted group of intellectuals, but on the broader academic world. In most universities of all continents, there is an increase in the number of human rights courses, master degree programs, and specialised centres. For Italy, an early mapping appears in the 2011 Italian Yearbook on Human Rights, the first in a series, edited by the University of Padua's Inter-Departmental Centre on the Rights of the Person and Peoples, established in 1982. The existence of this specialised structure is not extraneous to the content of Article 1,2 in the Statute of this ancient university that came into force in 1995:

> The University of Padua, according to the principles of the Constitution of the Italian Republic and to its tradition, that starts in 1222 and is summarised in the motto «Universa Universis Patavina Libertas», asserts its own pluralistic character and independence from conditioning and discrimination of any kind, such as ideology, religion, politics or economics. It promotes the elaboration of a culture based on universal values such as human rights, peace, environment and international solidarity.

This is the synthesis of a professional ethics code that takes into account the human right to education and training. Its application should lead to the development of new research pathways, to the creation of new conceptual categories, to the use of the most positive elements offered by the evolving reality, as a base for building new theories and new conceptual frameworks.

5. The Right-Duty to Innovate Approaches

The United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (9 December 1998) also addresses those who work in the field of science, whether pure or applied.

> Article 1: «Everyone has the right, individually or in association with others, to promote and to strive for the protection and realisation

of human rights and fundamental freedoms at the national and international levels».

Article 7: «Everyone has the right, individually or in association with others, to develop and discuss new human rights ideas and principles and to advocate their acceptance».

These articles teach us that human rights, being universal, have no boundaries; that everyone is legally legitimated in acting in their defence, whether inside or outside their own state; that we are all called upon to nourish human rights culture with new ideas: a culture made up of law and policy, theory and practice, education and active engagement. The only limit is the one repeatedly expressed in the twenty articles of this Declaration, by the adjective «peaceful» and the adverb «peacefully».
Limited to the disciplinary sphere of law and international politics, I shall mention just a few examples of ways to use the «right to new ideas and principles» in a scientific field of operation.
International law of human rights is law for life and peace; being consistent with itself, it prohibits capital punishment (see the second Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty currently ratified by 70 states), and it prohibits war, as traditionally understood: see also Article 20 of the International Covenant on civil and political rights:

1. Any propaganda for war shall be prohibited by law. 2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

It follows that states have lost their traditional, inhuman sovereignty attributes such as *ius necis ac vitae* and *ius ad bellum*, while they remain entitled to *ius vitae* and *ius ad pacem*, to be exercised in the form of a double obligation which we shall call *officium vitae ac pacis*.
The principle of the «best interest of children», declared by Article 3 of the 1989 International Convention on the Rights of the Child, is normally evoked when referring to needs and problems proper to this age range. Besides being useful in this context, the principle is a candidate for membership among the general principles of international law, and is therefore

not confined, union-style, to traditional issues concerning assistance to mothers and children. That is, it must be added to the principles contained in the Vienna Declaration of 1993. Through its case law, the Italian Constitutional Court has already found a way to define the principle we are considering here as «constitutional». At any rate, raising the principle in rank from particular to general should hopefully find more solemn confirmation in a formal act by the United Nations itself.

Let us now discuss the concept of «international community». Traditionally, this is seen as an entity constituted exclusively by states and state-created international agencies: a conceptual category abused by the most powerful states in particular; in practice, an evanescent entity. With the language of human rights, instead, and in perfect alignment with the reality as it evolves, by «international community» we should indicate an institutional container much vaster and more concrete compared to the inter-state one; it comprises human subjects – persons and peoples – alongside states and inter-governmental organisations, and is marked by the ethics of inhabiting the earth as a common home «for all members of the human family».

The expression «human family», which has recurred in international juridical texts since the 1948 Universal Declaration, is the bearer of a moral, social, political and anthropological meaning much more pregnant and engaging than the abstract term «humanity» or «humankind». In fact, «human family» evokes a common ancestry, brotherhood, common belonging, the need for sharing and unity; the commitment to cooperate toward the common good. The «shared house» of the human family, of course, can only be the United Nations Organisation.

In times not too remote, I was taught at university that as a public entity by antonomasia, the state may assume all the goals it wishes. This clearly represents an extreme in the apology for the sovereignty of an entity *superiorem non recognoscens*. Now, in light of the achieved juridical recognition of human rights, this assertion is unsustainable, since *de iure posito*, the human person is recognised as the original subject of innate rights even in the international legal system, and therefore, the state is a derived juridical subject. In other words, international juridical recognition of the rights of the person implies that not only the political agenda, but also the public institutional form of governance itself – beginning with the state form – is

«teleologically» predetermined: i.e., obliged to pursue certain goals as priorities.

Again, we must renew our conception relating to the legal regulations of «citizenship», using conceptual categories that allow us to grasp the sense of this status' evolution, and its hard-fought redefinition now in progress: only consider the contradictions pervading national legislation on immigration. In virtue of international human rights law, a «universal citizenship» has become visible which assumes primacy over national citizenships: it is that of the human person as such, coinciding with the accompanying rights that current international law defines as inherent. The tree metaphor helps us to grasp the meaning of this new aspect. The national citizenships (whose *de iure posito* history is most ancient) stand in relation to universal citizenship (whose international juridical recognition is more recent) as branches relate to the tree. In order to produce leaves and fruit, the branches must be physically united to the trunk and, along with it, of course, to the roots. The roots are the fundamental rights; together with the trunk they constitute the internationally recognised juridical status of person: the status of universal citizenship, indeed.

In light of this new aspect, which is juridical and not merely poetical or utopian, we must realise that with the entry of the international juridical system into what we might call the human-centric, irenical fullness of law – *plenitudo iuris* –, the traditional parameter of *ius sanguinis* is overcome. In fact, *plenitudo iuris* implies *plenitudo civitatis*, the fullness of citizenship, which can only be universal and, at the same time, plural, in a perspective of inclusion (*ad omnes includendos*), with the victory of *ius humanae dignitatis* over *ius sanguinis*. In the current situation, the tree's physical state is neither legally correct nor politically sane. The branches are not grafted onto the trunk: detached from the trunk, the national citizenships fluctuate, while historically preceding, as already noticed, the advent of universal citizenship. The grand challenge for good governance in the era of globalisation is to stabilise the tree's physical structure: to harmonise historical citizenships which until yesterday were conceived *ad alios excludendos*, as givens excluding others, with the inclusive logic of plural citizenship.

6. Wisdom in Science

In the field of juridical theory, pockets of hyper-positivism still exist. They seem to reflect what Jeremy Bentham said at the end of the 18th century: that «natural rights is simply nonsense; natural and imprescriptable rights, rhetorical nonsense, nonsense upon stilts». They seem to indicate that in order to be real, a right must be «legislated»; i.e., created, not simply recognised, by the legislator. Amartya Sen would retort that human rights are the «parents of law», not the «son of law». International human rights law itself, by explicitely stating that «all human beings are born free and equal in dignity and rights» (Universal Declaration, Article 1), prove that Amartya Sen is right.

Essentially – onticly, I might say –, human rights are each of us, «members of the human family», all juridically recognised on a plane of equality which is ontic even before it is juridico-formal. In times of absolutism, some said «L'État c'est moi». Today, in virtue of current universal law, each of us has a right to say «La Loi c'est moi»: the fundamental law, of course, not privilege or whim or luxury or arrogance, or the law of the strongest. This is a particularly convincing argument in the context of civics, because it alludes to the high social responsibility of which we must become aware as original subjects of fundamental rights and liberties; therefore we are the custodians *pro quota* – each in his own way – of popular sovereignty, then the protagonists of democracy.

Clearly, we could continue for a long time to discuss various pathways of scientific «discovery» leading to new conceptual categories, useful in discarding or redefining old theories and in developing new ones. We are aware that humanism and creativity – artistic, juridical, scientific – are the vital lymph for the growth of a more humane law and of social cohesion among peoples.

Let me quote my colleague Alessandro Pascolini, of the Galileo Galilei Department of Physics at the University of Padua, who also teaches Science for Peace in the Advanced Master in Institutions and Policies of Human Rights and Peace at the same university:

> Science can teach politicians to use critical reasoning: to avoid interpreting reality according to their own interests; to avoid forcing phenomena inside a preconceived cage; and instead, to accept reality,

and adapt political action to it. Too many politicians behave like Galileo's adversaries, who refused to look into the telescope so they would not have to give up their prejudices. Above all, however, science must create the conditions for reducing conflicts, by reducing poverty, ignorance and the frightening economic and social inequalities which characterise the current unjust world situation, and which are the premises of instability and war. Only in this way can science – no longer a winking prostitute – become the faithful bride of peace.

We seem to hear the echo, here, of Albert Einstein's lofty teaching, as expressed in a letter to Freud in 1931 (or possibly 1932):

I am convinced that almost all great men who, because of their accomplishments, are recognised as leaders even of small groups share the same ideals. But they have little influence on the course of political events. It would almost appear that the very domain of human activity most crucial to the fate of nations is inescapably in the hands of wholly irresponsible political rulers. Political leaders or governments owe their power either to the use of force or to their election by the masses. They cannot be regarded as representative of the superior moral or intellectual elements in a nation. In our time, the intellectual elite does not exercise any direct influence on the history of the world; the very fact of its division into many factions makes it impossible for its members to co-operate in the solution of today's problems [...]. However, and despite those dangers, should we not at least make an attempt to form such an association (of men whose previous work and achievements offer a guarantee of their ability and integrity) in spite of all dangers? It seems to me nothing less than an imperative duty! [...] Once such an association of intellectuals – men of real stature – has come into being, it might then make an energetic effort to en-list religious groups in the fight against war. The association would give moral power for action to many personalities whose good intentions are today paralysed by an attitude of painful resignation.

Bertrand Russell was a logician and mathematician and, at the same time, a strong pacifist and political actor. The same can be said of Anatole Rapoport, an eminent exponent of General Systems Theory (GST), and of Albert Einstein of course. The Russell Tribunal against War Crimes, an invention by Russell himself, was the precursor of today's International Criminal Court.
Nowadays Einstein, Russell, Rapoport and many other peace-loving scientists would find an ally, a powerful instrument of pressure and persuasion, in international human rights law.