



## Max M. Kampelman Papers

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REMARKS BY MAX M. KAMPELMAN

NEW YORK UNIVERSITY LAW ACHIEVEMENT AWARD

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Thank you very much, Mr. Chairman.

My dear friend Hubert Humphrey used to say that if a speaker is going to be introduced he ought to be introduced by a friend. Truth never stands in the way of a good introduction, when a friend talks about you.

You must all know how grateful I am tonight as I receive our law school's alumni award. In February, I retired from my law firm after 30 years to give full time to my role as a diplomat. That disassociation was a wrenching experience, but lawyers in our country have historically woven their way back and forth between their law practices and public service.

Alexis de Tocqueville stated in his Democracy in America that "members of the legal profession will be found in the front ranks" of free governments. He pointed out that of the 56 signers of the Declaration of Independence, 33 were lawyers; and of the 53 participants in the Constitutional Convention, 34 were lawyers.

This was not always so. Plato, in his day, said that the soul of the lawyer "is small and unrighteous." Thomas More's Utopia had no lawyers in it. Rhode Island, while a colony, tried the experiment of prohibiting lawyers in its legislature.

George Washington provided in his will that any dispute over its contents was to be resolved by a panel of three arbitrators, who would not hear lawyers. And the Constitution of the Illinois Grange provided that anyone could be a member, except actors, gamblers, and lawyers.

Early legal training in the United States seemed aware of Sir Walter Scott's observation that "a lawyer without history or literature is a mechanic, a mere working mason..." We know that our own school along with all leading law schools try to inculcate a sense of community responsibility in their students.

The responsibility of serving as the Head of our government's nuclear arms reduction negotiating effort in Geneva was not one that I sought or reached out for. It was clear that it would be a task requiring immense effort and would carry the burden of great responsibility dealing with a highly complex issue. The lawyer is, of course, acquainted with the difficulty of absorbing the details of a client's life and business. I recall that, as a private citizen, I was trying to arrive at a position on SALT II and I became quickly aware that public policy in the area of arms control was deeply integrated with computer technology and overwhelming technicalities. Indeed, when I began my own active preparation for the Geneva negotiations, I was told of an advertisement in the classified section of a newspaper which read as follows:

"Wanted. A student to work in an orthomolecular laboratory project, specializing in genetics, with special emphasis on the interrelationship of nuclear physics and the biochemistry of the human blood serum -- no experience necessary."

This described my condition as I began to cope with my new tasks; and yet, the task must be performed.

The world feels overwhelmed by the danger to it arising out of the large number of nuclear weapons that hang over us. Our own country is, furthermore, aware of the fact that we are facing perhaps the most serious and threatening adversary in our nation's history. There are some, of course, who permit their understandable fear of nuclear war to interfere with their perception of Soviet reality; and they find comfort in simply denying the danger to our country stemming from Soviet aggression and repression. There are others who are so absorbed with the reality of that danger as to put all their confidence in military power and its use alone. Both of these reactions have the potential of being serious and perhaps fatal errors of judgment.

We and the Soviet Union share the same globe. We must talk with each other. We must learn to live with each other. We in the United States particularly, must assume the leadership in the search for peace. We are strong in every sense of the word. A strong nation can afford to be forthcoming; and a strong people must take initiatives to seek peace. Only the weak hide behind arrogance and petulance.

The other day, my wife gave me a statement by John Adams: "If I had refused to institute a negotiation or had not persevered in it, I should have been degraded in my own estimation as a man of honor." That must be the motto of our Government and those who lead it.

We must learn to avoid mental rigidity in a world that does not stand still. The advent of technology has dramatically changed our daily lives. It must also affect our thinking. Our world at the end of this century will be different from what it was when the century began. History never stops.

The relationship between the United States and the Soviet Union is central to the issue of world peace. Our great challenge is how to manage this relationship in a changing world. How do we persuade the Soviet system that its ideology and historic national ambition to aggrandize its power has no place in a nuclear age. How do we together control nuclear weapons and reduce the risk of war? Can we find the defenses through the new technology which will indeed make nuclear warfare impractical and nuclear arms obsolete?

These are the questions that provide the background for our Geneva negotiations. But we must understand that arms control is only a part of the total challenge and not the most important part. Arms control faces the danger of becoming political theater. It is not a substitute for foreign policy.

Nor is it a substitute for the defense that people in our democracy have every right to expect from their government.

We cannot accept the principle of Soviet international policy under which everything that has become communist remains forever inviolate, while everything that is noncommunist is open to change either by pressure, subversion, armed aggression, or terror. We seek understanding and the relaxation of tensions in the world. But this can only be based on a political agreement which recognized the supremacy of the principle of mutual international stability and of agreements designed to civilize the international order.

The differences between the United States and the Soviet Union are profound and go to the very marrow of our values and our perceptions of our respective national interests. Resolving them will require patience and perseverance. The task will demand understanding, particularly within the democracies of the world, where our ability to be patient and to persevere will require a broad national consensus. I suggest to you, my fellow lawyers and alumni, that our negotiating team is not in Geneva alone. It is here too, among all of you.

Thank you.