



Max M. Kampelman Papers

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3/31
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202 • 639 • 7000

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March 14, 1994

WRITER'S DIRECT LINE

639-7020

Mr. Glenn R. Butterson
Editor-in-Chief
Columbia Journal of Transnational Law
School of Law, Columbia University
New York, NY 10021

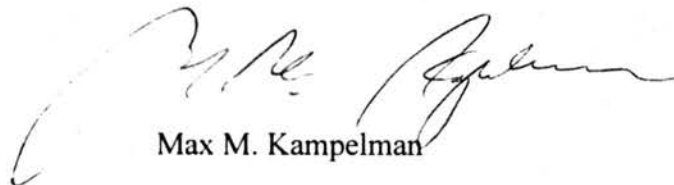
Dear Mr. Butterson:

Thank you very much for your helpful letter of February 26, which has just arrived on my desk. I have set aside the date of March 31 to be with you. In the event that date is changed, I would appreciate hearing from you at your earliest convenience.

With respect to my prepared talk, I am afraid that I won't be able to get to that until after I return from California late next week.

My warmest best wishes to you.

Sincerely,



Max M. Kampelman

File copy

February 26, 1994

Amb. Max Kampelman
Fried, Frank, Harris, Shriver & Jacobson
1001 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20004-2505

Dear Ambassador Kampelman:

I write to confirm that the Columbia Journal of Transnational Law of the Columbia University School of Law wishes to confer upon you the 1994 Wolfgang Friedmann Memorial Award. I am told by Professor Michael Young that you have accepted the Award, and would like to take this opportunity, on behalf of the Board of Directors, the Board of Advisers and the Editorial Staff of the Journal, to extend to you our warmest congratulations. As you know, the Award, which has been presented annually since 1975, honors the memory of the late Columbia Law School professor Wolfgang Friedmann and is conferred upon persons who have played a major role in shaping public or private international law in our time. We are greatly honored to number you among the ranks of the distinguished recipients of the Friedmann Award.

1975 Philip C. Jessup
1976 Oliver J. Lissitzyn
1977 Arthur H. Dean
1978 Willis L.M. Reese
1979 Hardy C. Dillard
1980 Alona E. Evans
1981 Telford Taylor
1982 Maxwell Cohen
1983 Oscar Schacter
1984 Tommy Koh
1985 Rosalyn Higgins
1986 Louis Henkin
1987 Keith Highet
1988 John R. Stevenson
1989 Thomas Buergenthal
1990 John N. Hazard
1991 Daniel Patrick Moynihan
1992 John H. Jackson
1993 Michael H. Posner

The tentative date of the Award Dinner is Thursday, March 31, 1994. Traditionally, the Dinner takes place on the same day as the Friedmann Conference which is sponsored by an independent organization, the Columbia Society for International Law. The subject of the Conference this year is the New South Africa. Of course, the award recipient may, but need not, attend the Conference, though typically many of the Conference participants will attend the Dinner.

While it has not yet been officially scheduled, the Dinner generally begins with an open bar at 6 p.m., and continues with food service at 7 p.m., followed by the Award presentation. After some brief preliminary remarks, the Award recipient is introduced and the Award is presented. The recipient then makes an acceptance speech. Ideally, this speech is a substantive one, bearing its own title, and is subsequently published in the Journal under the heading: Friedmann Award Acceptance Speech. The author is identified in that volume of the Journal as the 1994 Friedmann Award recipient and included in a listing, similar to the one above, of all of the previous recipients of the Award. We will begin production work on the speech as soon as we receive it from you; we would be grateful if you could send it to us as soon as it is prepared (even if this is well in advance of the Dinner itself).

We will notify you of further details concerning times, places, accommodations, transportation, and other logistics of the Dinner and Conference as soon as they become available. In the meantime, I would be grateful if you could have your secretary FAX us a copy of your resume for use in preparing the Dinner introduction and other associated materials. If you also have a prepared biographical statement that you prefer to have used for such occasions, please send us that as well. FAX messages should be addressed to the Journal and sent to the following FAX number: 212-854-7946.

Please do not hesitate to call me if I may be of any assistance (my home phone number is 212-663-6852).

Again, our heartfelt congratulations!

Best Regards,

Glenn R. Butterson,
Editor-in-Chief



HOVER INSTITUTION

ON WAR, REVOLUTION AND PEACE

March 8, 1994

GEORGE P. SHULTZ
DISTINGUISHED FELLOW

Dear Max,

The Columbia Journal of Transnational Law and the Columbia University Law School could not select a more appropriate person to honor than yourself. I say this, having worked closely with you and also having observed many lawyers in operation over a long period of time. You are tops.

The main point is that, while you are a first class lawyer in every respect, you are far more than that. You bring perspective, experience, huge doses of common sense and a strong sense of integrity to the tasks you undertake.

I felt especially honored to work with you during my time in the State Department. You in your roles as our Chief Arms Control Negotiator and as Counselor were a priceless asset to me and to our country.

I thank you for all the public service and I salute you on this occasion.

Sincerely yours,

George P. Shultz

Mr. Max M. Kampelman
Fried, Frank, Harris, Shriver & Jacobson
1001 Pennsylvania Avenue N.W. (Suite 800)
Washington, DC 20004



RONALD REAGAN

March 31, 1994

Dear Max,

I am delighted to join your colleagues and friends in congratulating you tonight as you receive the 1994 Wolfgang Friedmann Memorial Award. You are most deserving of this prestigious honor and I am pleased that you are being recognized in this way for your lifetime of achievements.

I have had the pleasure of knowing you, Max, for many years. You were very instrumental in our successful negotiations in Geneva and I admired you for your tough positions and patient nature. You understood the fragile situations well and you were more than willing to wait for results. And the results came -- clearer and more profoundly than we had ever dreamed. What a glorious reward!

Tonight it is highly appropriate that you are being acknowledged for your extraordinary career -- as a lawyer and a peacemaker. There are many of us who feel honored to have worked with you over the years.

Nancy joins me in sending our warmest wishes to you on this special occasion. We wish you continued happiness and success in the coming years.

Sincerely, *Ronald Reagan*



JIMMY CARTER

March 31, 1994

To Ambassador Max Kampelman

Rosalynn and I are pleased to offer our congratulations on your receipt of the 1994 Wolfgang Friedmann Memorial Award.

It is fitting that your countless contributions to international law, resulting from more than 40 years of practice, are being recognized in this way. Your tireless dedication to serving your fellow man is most commendable.

You have our warm best wishes for continued success in the years to come.

Sincerely,

A handwritten signature in cursive script that reads "Jimmy Carter".

Ambassador Max M. Kampelman
Fried, Frank, Harris, Shriver & Jacobson
1001 Pennsylvania Avenue, NW
Suite 800
Washington, D.C. 20004



AMBASSADOR OF
THE UNITED STATES OF AMERICA
TOKYO

March 31, 1994

I wish to offer my warmest congratulations to Max (and Maggie) for receiving the Wolfgang Friedmann Memorial Award.

The Mondales are delighted that Max is being honored in this way. His contributions to American society, and to the world, are awesome: to political science and international law; to the career of one of America's most remarkable progressive leaders, Hubert Humphrey; to human rights through his service as the Ambassador to the Madrid Conferences; and for his unrelenting devotion to the cause of human liberty and his outstanding service to our nation.

For more than fifty years, Max has been found wherever the cause of human justice has been at issue. Like a wonderful bell, his sound has been strong and clear.

May I also add a word of thanks for Max's service to my home state of Minnesota. Since his days as a student at the University of Minnesota and through his decades-long interest in our state, Max has reflected what I believe to be our special devotion to public service and progressive government. I like to say that wherever you find brilliance and compassion, there is usually a Minnesotan around — and Max makes my case.

Finally, a word of thanks from the Mondales to Max and Maggie and their kids. We have been friends and allies for more than forty years. You have encouraged and strengthened us always. God bless you both. Thanks and congratulations from Tokyo.

With best wishes,



Walter F. Mondale

WFM/llp



*Embassy of the United States
Tokyo, Japan*

Coversheet and 3 pages to follow.

To: Glenn R. Butterson

FAX: 212/854-7946

From: Ambassador Walter F. Mondale

Date: March 30, 1994

Message

American Embassy
Unit 45004, Box 200
APO AP 96337-5004

TEL: (81) (3) 3224-5554

FAX: (81) (3) 3224-5312



AMBASSADOR OF
THE UNITED STATES OF AMERICA
TOKYO


March 30, 1994

Mr.. Glenn R. Butterson
Editor-in-Chief
Columbia Journal of Transnational Law
School of Law, Columbia University
New York NY 10027

Dear Mr. Butterson:

Thank you for your recent fax. I am delighted to have this chance to offer congratulations to my dear friend, Max Kampelman. My statement is attached.

With best wishes,


Walter F. Mondale

WFM/llp
Enc.



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The Waldorf-Astoria Hotel

**The Columbia Journal
of
Transnational Law**



**1994
Wolfgang Friedmann
Memorial Award Dinner**

**March 31, 1994
6:00 pm
Faculty House, Columbia University**

The Wolfgang Friedmann Award is given annually by the *Columbia Journal of Transnational Law* to an individual who has made outstanding contributions to the field of international law.

Max M. Kampelman, this year's recipient, was Counselor of the Department of State and Ambassador and Head of the United States Delegation to the Negotiations on Nuclear and Space Arms in Geneva, before returning in January, 1989, as a partner in the law firm of Fried, Frank, Harris, Shriver & Jacobson. He was appointed by President Bush to the Board of the United States Institute of Peace, which he serves as Vice Chairman. He is Chairman Emeritus of Freedom House, and Honorary Chairman of the Jerusalem Foundation. He also serves as a member of the Executive Committee of the American Bar Association Special Committee on the Central and Eastern European Law Initiative, designed to provide assistance to the emerging democracies of Europe. His book, Entering New Worlds: The Memoirs of a Private Man in Public Life, was published in 1991 by Harper Collins.

On January 18, 1989, President Reagan awarded him the Presidential Citizens Medal, which recognizes "citizens of the United States who have performed exemplary deeds of service for their country or their fellow citizens." He has also been the recipient of the Knight Commander's Cross of the Order of Merit of the Federal Republic of Germany.

He was appointed by President Carter and reappointed by President Reagan to serve as Ambassador and Head of the U.S. Delegation to the Conference on Security and Cooperation in Europe, which met in Madrid from 1980 to 1983. He has served, by Presidential appointment, as Ambassador and Head of the U.S. Delegation to the CSCE Copenhagen Conference on the Human Dimension in June 1990, the CSCE Geneva Conference on National Minorities in July 1991, and the CSCE Moscow Conference on the Human Dimension in September 1991. He previously was a Senior Advisor to the U.S. Delegation to the United Nations and served as Legislative Counsel to U.S. Senator Hubert H. Humphrey. From 1989 to 1993, he was Chairman of the Board of Governors of the United Nations Association.

An educator, he received his J.D. from New York University and his Ph.D. in Political Science from the University of Minnesota, where he taught from 1946 to 1948. He has also served on the faculties of Bennington College, Claremont College, the University of Wisconsin, and Howard University. He lectures frequently here and abroad and has written extensively in scholarly and public affairs journals. He served on the governing boards of a number of universities and has received thirteen honorary Doctorate degrees.

Ambassador Kampelman was the founder and moderator of the public affairs program on public television, "Washington Week in Review." He was chairman of the Washington public broadcasting radio and television stations from 1963 to 1970. He and his wife, Marjorie, live in Washington, DC and have five children and two grandchildren.

1994 Wolfgang Friedmann Memorial Award Dinner

This Evening's Program

Welcome

Julie M. Abraham

Special Projects Editor, Columbia Journal of Transnational Law

Presentation of Friedmann Award

Glenn R. Butters

Editor-in-Chief, Columbia Journal of Transnational Law

Introduction

Lori Fisler Damrosch

Professor of Law, Columbia University

Keynote Address

Ambassador Max M. Kampelman

1994 Friedmann Award Recipient

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Professor of Law, Columbia University

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1994 Friedmann Award Recipient

You are cordially invited to the
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Thursday, March 31, 1994

In honor of
Max M. Kampelman
Award recipient and keynote speaker

Faculty House, Columbia University
6:00 - cocktail hour 7:00 - dinner
Students - \$25.00 Others - \$35.00

Please Respond by March 25, 1994 to:
Columbia Journal of Transnational Law
Box D-25, Columbia Law School

Please make checks payable to the *Columbia Journal of Transnational Law*
I prefer a Passover meal ____

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I prefer a Passover meal ____

REMARKS BY
MAX M. KAMPELMAN
COLUMBIA UNIVERSITY SCHOOL OF LAW

New York, NY

March 31, 1994

Thank you, Lori. It's good to be introduced by a friend, and Professor Damrosch is a friend. What surprised me, however, were her exaggerations, since I know her as a careful, thorough and precise legal scholar. Nevertheless, I confess to enjoying every one of her lovely exaggerations. Furthermore, I remind this audience of lawyers and law students that an introduction is not an affidavit.

I particularly want to express my appreciation for the 1994 Wolfgang Friedmann Memorial Award which you are bestowing on me this evening. Professor Friedmann's distinguished legal scholarship, inspirational teaching, and wise counseling have been woven into the fabric of the Journal of Transnational Law under whose sponsorship we meet tonight. I will cherish your award. To be in the company of Philip Jessup, Arthur Dean, Telford Taylor, Louis Henkin, Thomas Buergenthal, John Hazard and Daniel Patrick Moynihan, friends I have known and highly respected over the years, is a special privilege and a unique honor which I deeply appreciate.

Following my retirement from government service in January, 1989, I was called back to government service on five different occasions to deal with the substance and mechanism for Europe's place in the new world. In November, 1990, I had the privilege of being part of the American Delegation, led by President Bush, to a heads of government Summit in Paris. The mood of that day was one of euphoria and self-congratulation. The Berlin Wall had been shattered; Communist regimes were falling; the Warsaw Pact was disappearing; the Community Party of the Soviet Union was in shambles; democracy seemed to be spreading like wildfire. All of Europe unanimously agreed that political democracy and the rule of law, not as slogans, but with clear detailed specificity, were indispensable prerequisites to assure European security and cooperation. There was no doubt. We were entering a "new world order."

Nineteen months later, in June, 1992, I again had the privilege of being a member of the American Delegation to the next heads of government Summit in Helsinki. The mood was decidedly different. Europe felt depressingly impotent, obsessed with challenges it could not face.

It was not just that Saddam Hussein remained in power. It was also the savagery in too many areas of the world, with ethnic strife and xenophobia dividing people, villages, neighborhoods. It was growing anti-Semitism, even where there were few or no Jews. It was the human race once again demonstrating its capacity for cruelty, with hundreds of thousands of refugees displaced from their homes; and the words "concentration camp" reappearing in our consciousness and consciences. The ironic reappearance of Sarajevo as a symbol of war brought back awful reminders of yesterday. And all of this was accompanied by a seeming inability to stop the violence and brutality.

The question may well be asked: Are we entering an age of democracy, a new world based on human dignity, or an age of disorder which repeats the hatreds and divisions and savageries of yesterday? Is it in our power to influence the answer to that question? Evidence is available to support either answer.

Francis Fukiyama, using Hegel's historical analysis, optimistically called the post-Cold War period "The End of History," meaning that the direction in which we were heading was making it clear that democracy and liberty were our destiny, given their obvious superiority as systems of governance. Harvard University's Sam Huntington, on the other hand, did not see how we could escape an inevitable violent clash of civilizations on perhaps a worldwide scale. I would like this evening to place these profound issues in a broader context of change,, one that I have found helpful.

During my early childhood, one lifetime, strange as it may appear to some among you, there were no vitamin tablets; no anti-biotics; no television; no dial telephones; no refrigerators; no FM radio; no synthetic fibers; no dishwashers; no electric blankets; no airmail; no transatlantic airlines; no instant coffee; no Xerox; no air-conditioning; no frozen foods; no contact lenses; no birth control pill; no ball-point pens, no transistors. The list can go on.

In my lifetime, medical knowledge available to physicians has increased perhaps more than ten-fold. More than 80% of all scientists who ever lived, it is said, are alive today. The average life span keeps steadily increasing. Advanced computers; new materials, new bio-technological processes are altering every phase of our lives, deaths, even reproduction. We are living in a period of information power, with the telefax, electronic mail, the super computer, high

definition television, the laser printer, the cellular telephone, the optical disk, imaging, video-conferences, the satellite dish. Combining these instruments produces near miracles. No generation since the beginning of the human race has experienced and absorbed so much change so rapidly -- and it is only the beginning. As an indication of that, more than 100,000 scientific journals annually publish the flood of new knowledge that pours out of the world's laboratories.

These developments are stretching our minds and our grasp of reality to the outermost dimensions of our capacity to understand them. Moreover, as we look ahead, we must agree that we have only the minutest glimpse of what our universe really is. We barely understand the human brain and its energy; and the endless horizons of space and the mysteries found in the great depths of our seas are still virtually unknown to us. Our science is indeed a drop, our ignorance remains an ocean.

It has been said that necessity is the mother of invention. I suggest the corollary is also true: Invention is the mother of necessity. Technology and communication are necessitating basic changes in our lives. Information has become more accessible in all parts of our globe, putting authoritarian governments at a serious disadvantage. The world is very much smaller. There is no escaping the fact that the sound of a whisper or a whimper in one part of the world can immediately be heard in all parts of the world -- and consequences follow.

But the world body politic has not kept pace with the dramatic scientific and technological achievements. Just as the individual human body makes a

natural effort to keep the growth of its components balanced, and we consider the body disfigured if one arm or leg grows significantly larger than the other, so is the world body politic disfigured if its knowledge component opens up broad new vistas for development while its political and social components remain in the Dark Ages. Yet, we would be blind to ignore the reality that in this decade of the 1990's, a larger part of the world's population is living in relative freedom than ever before in the history of the world. I suggest to you that what we have been observing and experiencing in the growth of democratic influence is a necessary effort by the body politic to catch up with the world of science and technology.

What we have also been unexpectedly observing is a fierce resistance to that change. It is as if a part of us is saying: "Not so fast. Stop the world. We want to get off. We are not ready. We are not prepared for this new world we are being dragged into. You are threatening our beliefs. We will resist the changes. We will hold on tight and with a determined frenzy to the familiar, the tribal, the traditional!" This phenomenon cannot in the short run be dismissed, as fundamentalism, nationalism, race, and ethnicity make themselves increasingly felt. We must not permit this resistance to overwhelm us.

The explosions we hear are frequently the sounds of escaping steam as the lids of repression are removed from boiling kettles. Fingers and faces that are too close get scalded. But there are stronger and more urgent sounds of impatient hope and expectation not to be neglected. We must harness the energy of that boiling water into a samovar of refreshing tea. The promises and realities of modern technology for better living cannot be hidden and their availability cannot long be denied. The communication age has opened up the

world for all to see. The less fortunate are now aware that they can live in societies, including their own, which respect their dignity as human beings. From radio and television they know such societies are only hours away. They want that dignity and better living for themselves and for their children -- and they don't wish to wait.

Keeping up with scientific and technological opportunities requires openness to information, new ideas, and the freedom which enables ingenuity to germinate and flourish. A closed tightly controlled society cannot compete in a world experiencing an information explosion that knows no national boundaries. Peoples now trapped in the quagmire of ancient ethnic and national grievances and enmities will soon come to recognize that they are thereby dooming themselves, their children and their grandchildren to become orphans of history, lost in the caves of the past. There is room for ethnic, national, religious, racial and tribal pride, but if that drive for self-identification is to produce respect and self-realization for the individual and the group, that drive must be peaceful and in harmony with the aspirations of others in our evolving inter-related world community.

As national boundaries are buffeted by change, the nations of the world become ever more interdependent. We are clearly in a time when no society can isolate itself or its people from new ideas and new information anymore than one can escape the winds whose currents affect us all. National boundaries can keep out vaccines, but those boundaries cannot keep out germs, or thoughts, or broadcasts.

This suggests, among many other implications, the need to reappraise our traditional definitions of sovereignty. The requirements of our evolving technology are increasingly turning national boundaries into patterns of lace through which flow ideas, money, people, crime, terrorism, nuclear missiles -- all of which know no national boundaries. One essential geo-political consequence of this new reality is that there can be no true security for any one country in isolation. We must learn to accept in each of our countries a mutual responsibility for the peoples in other countries.

Our task, furthermore, is to help influence the constructive energies of the emerging democratic societies so that they are channeled into the full peaceful realization of their aspirations. It is in our interest to fulfill that task with determination. If we fail to fulfill our historic responsibility, we will be condemned by our children and grandchildren who will pay the price for our failure to assure the peace and human dignity that is at hand.

The argument is made that we cannot be the policeman of the world. I respectfully suggest that no community -- and our nation is an integral part of an economic, technological, scientific and political world community -- can survive, let alone flourish, without a police force. We have an obligation to be part of such a force, with diplomacy our first responsibility and with the readiness to use our military as a last resort.

The argument is also heard that our effort to foster democracy in other geographic areas is a misguided and doomed effort to transfer the values of our culture to other cultures not hospitable to those values. Our Western values, it

is said, particularly by defenders of Middle East and Asian authoritarian systems, are unique to our culture alone. I believe this to be an over-simplified cop-out.

Our human rights differences with China, for example, are not exacerbated by the Confucianism of China's despots. It is their Leninism that is at the root of our differences. All dictators, whether in the East or West fear and resist the spread of freedom. Mainland China signed a variety of international conventions and pledged to subscribe to them when it joined the United Nations. Unless the civilized world takes these commitments seriously, the rest of the world will not, and they will become irrelevant footnotes of history.

My friend and former partner, Richard Schifter, now a special advisor to the President at the National Security Council, who served as our Assistant Secretary of State for Human Rights and Humanitarian Affairs during the Reagan and Bush administrations, told me of an exchange he recently had with a Chinese colleague on this subject. It's my recollection that Mr. Schifter's response went something like this:

"During the last 250 years the West produced two sharply differing systems defining the relationship between government and the governed, namely the ideas of democracy and human rights associated with the Enlightenment, on the one hand, and Leninism, on the other hand. Your bad luck has been that you chose the Western system that doesn't work."

It is true that the modern idea of democracy originated in the West. But Christianity and Islam originated in the Middle East and those ideas spread to all parts of the globe. The ideas of the Enlightenment need not be confined to Western Europe and North America. Mr. Schifter asks: "Do Westerners carry a

democracy gene?" We know that the ideology of the Enlightenment has established a bridgehead in all of the non-Western civilizations. Young people of today's Japan, for example, are in many ways culturally closer to their American and European contemporaries than they are to their grandparents. Japan has increasingly become part of the democratic West.

It is true that militant Islam today rejects the principles of the Enlightenment. It looks upon life in a free society as a direct threat to the core values of its faith. It looks upon Western society as decadent and sinful, an enemy to be fought so as to purify life, protect the family, and be deserving of ascent to heaven. Militant Islam, however, is not all of Islam. Turkey and Pakistan remain committed to the strengthening of democracy, and elections are becoming more of a factor in different parts of the Middle East.

Last night, I had dinner with a Saudi Arabian friend, a Ph.D. in Political Science. He was indignant over what he believed to be a prevailing Western view that he, his people, his culture, his values were incompatible with the political principles of human dignity and liberty.

We who believe that democracy works best for us must increasingly come to understand that it will work best for us only to the extent that it works well for others. We are, therefore, destined to carry the flag of democracy, the rule of law, and human rights.

The struggle for human dignity is a continuing one. Aristotle taught us that all forms of government are transitional and vulnerable to the corrosion of

time, new problems, and missed opportunities. Are we in the U.S. wise enough to know how to assist the historic developments now underway? Do we have the insight, discipline, unity and will to fulfill our responsibilities?

We have, regrettably, not yet shown the maturity to fulfill those responsibilities and provide the leadership that the world requires. Our indecisiveness in many areas, but particularly with respect to the former Yugoslavia, has permitted Serbia, the aggressor, to shift the international discussion to the question of how much of the illegally and cruelly seized territory it can keep in a peace treaty, thereby making it clear to other potential aggressors that military aggression can be profitable -- a formula for catastrophe. Dr. Brzezinski sharply reminds us that the slogan "never again," which was originally meant as a call never again to permit another Holocaust, has now been diluted into a slogan for the opening of museums while we watch genocidal slaughter on television and concentrate on our creature comforts. Is it because it is Moslems that are the victims, not "one of us," not quite deserving of our commitment, just as Jews were not quite deserving of commitment during the Nazi regime?

Our ambivalent uncertainties, furthermore, have encouraged anti-democratic and anti-reform communists and fascists in the former Soviet Union. When reformers were in the position to influence events in Russia, we made promises of financial assistance that we did not deliver. It should not surprise us that this led to a repudiation of the reformers by a disgruntled, impoverished people. Now that Soviet-era managers are back in power, we first floundered in surprise, made hasty and misleading explanations, and then confused and

confounded our friends in the area, ignoring the reality that we contributed to the debacle.

Equally seriously, we respond to threats from the Russian military by slowing the entry of Hungary, Poland and the Czech Republic into NATO membership, thereby inadvertently revalidating Yalta and legitimizing a special Russian interest in decisions affecting former Warsaw Pact countries. We further encourage the Russian military by publicly proclaiming that it is appropriate for them to have a military presence in the other former Soviet states, now legally independent member states of the United Nations, so long as those states consent to that Russian military presence. The days of Stalin and Brezhnev come to mind when we were told that Soviet troops were in the Warsaw Pact states at their invitation.

We can do better. We must do better. Our indecisiveness and gullibility must be overcome. The world needs our leadership. We must understand and fulfill our responsibility to champion democracy and the cause of human dignity in the world.

Science and technology are today globalized and the results have been awesome in their benefits to the human race. Our economies are rapidly moving toward globalization and that, too, shows promise of dramatic improvement in the human condition. It is only the world of politics that lags behind and impedes our ability to absorb successfully the benefits of science, technology and economics. It is in our interest as a nation that we decisively lead in the direction of a political globalism committed to peace and human dignity.

Our task is to achieve the firm sense of purpose, readiness, steadiness, and strength that is indispensable for our effective and timely foreign policy decision-making. Our political community must resist the temptation of partisan politics and institutional rivalry as we develop the consensus adequate to meet the challenge. Our country is today the oldest continuing democracy in the world. Our political values and our character traits have helped us build the most dynamic and open society in recorded history, a source of inspiration to most of the world. We must come to appreciate what the American dream means to the world and the burden that puts on us to advance the cause of democracy and human dignity for those who do not today enjoy that blessing.

Thank you.

January 24, 1995

Mr. Young:

Attached is signed copy of
agreement.

Also, if possible, I'd appreciate
receiving 40 reprints of the speech.

Thank you.

MMK

1001 Pennsylvania Avenue, N.W., Suite 800
Washington, D.C. 20004
(202) 639-7020
Fax: (202) 639-7008

Columbia Journal of Transnational Law

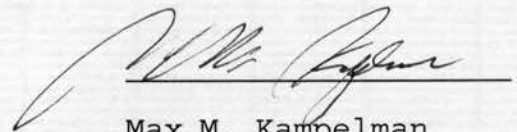
SCHOOL OF LAW, COLUMBIA UNIVERSITY

NEW YORK, N. Y. 10027

PUBLICATION AGREEMENT

The undersigned author of the 1994 Wolfgang Friedmann Award Acceptance Address (the "Work") hereby agrees as follows: The Columbia Journal of Transnational Law Association, Inc. (the "Association") shall have and hereby is granted the exclusive right to publish the Work and the Association hereby agrees to publish the Work. The Association is also hereby granted the authority to authorize the inclusion of the Work on computerized retrieval services and other electronic media.

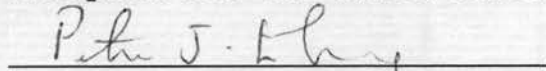
When the Work is published in the Columbia Journal of Transnational Law, the copyright and all rights appertaining to the Work will belong to the Association as of that date.



Max M. Kampelman

Date 1/20/95

Accepted for the Association:



Peter J. Ekberg, President

Date 1/18/94

9/E

Columbia Journal of Transnational Law

SCHOOL OF LAW, COLUMBIA UNIVERSITY
NEW YORK, N. Y. 10027

January 18, 1995

Ambassador Max M. Kampelman
Fried, Frank, Harris, Shriver & Jacobson
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004-2505

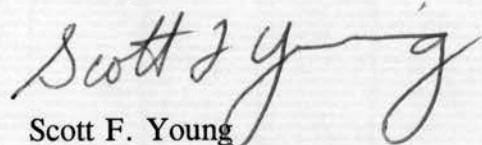
Dear Ambassador Kampelman:

Your speech is now ready for publication in volume 32:3 of the Columbia Journal of Transnational Law. Please find enclosed two copies of our publication agreement. I would be grateful if you would sign both copies of the agreement at your earliest convenience, returning one of the originals to my attention at the Journal and keeping the other for your files.

It is the policy of the Journal to provide each author with 30 complimentary reprints. If you would like more than 30, please let me know how many you would like as soon as possible.

Congratulations and many thanks for publishing with JTL.

Sincerely,



Scott F. Young
Administrative Editor

50
NOTE

Columbia Journal of Transnational Law

SCHOOL OF LAW, COLUMBIA UNIVERSITY

NEW YORK, N. Y. 10027

April 7, 1994

Amb. Max Kampelman
Fried, Frank, Harris, Shriver & Jacobson
1001 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20004-2505

Dear Ambassador Kampelman:

Please find enclosed the originals of the tributes I received from President Reagan and Secretary Schultz. In addition, I enclose the FAX transmission sent by Ambassador Mondale from Tokyo, the original letter on which the FAX was based (which arrived at our offices today) and a fourth tribute sent by President Carter which, unfortunately, we did not receive in time to include at the Friedmann Dinner.

I have also enclosed two copies of the program from the Dinner and two copies of the official invitation.

As for the published version of your Friedmann Award Acceptance Address, we are eager to include the text in our next volume. In this regard, we would be grateful if you could send us, at your earliest convenience, a paper (i.e. manuscript) version and also a 3 1/2" computer diskette version (in the word processing language Word Perfect or a compatible language if possible) of the text. We can only publish material that has not previously appeared elsewhere, so we would be grateful if you could check the final version of the text you send us to be sure that no portions have been published before. The published text may, of course, differ in whatever ways you deem appropriate from the speech delivered at the Dinner. Please be sure also to include a title.

Again, congratulations and thank you so much for honoring us by joining the ranks of the recipients of the Friedmann Award!

Best Regards,

Glenn R. Butters, Ph.D.
Editor-in-Chief

C

Columbia Journal of Transnational Law

SCHOOL OF LAW, COLUMBIA UNIVERSITY

NEW YORK, N. Y. 10027

May 28, 1994

Ms. Sharon Dardine
Fried, Frank, Harris, Shriver & Jacobson
Suite 800
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2505

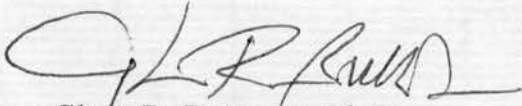
Dear Ms. Dardine:

Thank you for sending the typescript of Ambassador Kampelman's Friedmann Award address. The incoming 1994-95 Editorial Board will be in charge of publishing the text and they will be contacting you in due course with further particulars; for your records, my successor as Editor-in-Chief will be Mr. Peter Ekberg. In the meantime, we would be grateful if you could send us (1) a title for the talk, and (2) a copy of the text on a 'floppy' computer disk.

need from you
copy! his correct
Thank you also for your itemization of Ambassador Kampelman's expenses in connection with the Friedmann Award Dinner at Columbia University. I have turned these records over to our Financial Editor. In review of the expenses, we find that the total of those listed comes to \$395.06, rather than the \$405.00 that you indicated (i.e. there was a minor addition error). Further, we are sorry to report that Journal policy forbids us to pay for breakfast at the Waldorf-Astoria Hotel in the amount of \$10.00. Therefore, the reimbursement amount that we can provide comes to \$385.06. Please find enclosed a check for that amount. *See do*

Thank you again for all your help on this project. Please don't hesitate to call us if any questions arise. We look forward to working with you further and to the publication of the Friedmann speech.

Sincerely,


Glenn R. Butters, Ph.D.
Editor-in-Chief (1993-94)

✓ 10/31/94

Eric B. Fisher
434 West 120th Street, 2D
New York, N.Y. 10027

October 15, 1994

Ambassador Max M. Kampelman
Fried, Frank, Harris, Shriver & Jacobson
1001 Pennsylvania Avenue, N.W.
Washington D.C. 20004-2505

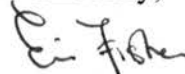
Dear Ambassador Kampelman:

I write to introduce myself as the editor who will be supervising the publication of your Friedmann Award Address in Volume 32: Issue 3 of the Columbia Journal of Transnational Law. Enclosed please find a copy of your address with a few minor additions and revisions indicated with red ink. I have also indicated areas where I believe that footnotes are either helpful or necessary. I have tentatively assigned the lecture an admittedly bland title and I am open to your suggestions for a different title.

Please review the text of the lecture and kindly supply me with the requisite citations. I would appreciate it if you could return this draft to me with your revisions and comments by October 28, 1994.

Thank you for your attention to this matter and thank you for providing me with the opportunity to work on such an engaging piece.

Sincerely,



Eric Fisher
Articles Editor

1786

From the Desk of MAX M. KAMPELMAN

Suite 800
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(202) 639-7020

AMBASSADOR KAMPELMAN, OF
COUNSEL TO FRIED, FRANK, HARRIS,
SHRIVER AND JACOBSEN, IS CHAIRMAN
OF THE GEORGETOWN UNIVERSITY INSTITUTE
FOR THE STUDY OF DIPLOMACY, VICE-
CHAIRMAN OF THE UNITED STATES
INSTITUTE OF PEACE, MEMBER OF THE
EXECUTIVE BOARD OF THE AMERICAN BAR
ASSOCIATION CEEI PROGRAM. HE
SERVED AS HEAD OF THE U.S. DELEGATION
TO THE CSCE, 1980-1983 AND 1991-1993;
~~AND~~ HEAD OF THE U.S. NEGOTIATING TEAM
ON NUCLEAR AND SPACE ARMS, 1985-1989;
AND COUNSELOR ^{OF} ~~BY~~ THE U.S. DEPARTMENT
OF STATE, 1987-1989.

FRIED, FRANK, HARRIS, SHRIVER & JACOBSON

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

MEMORANDUM
OCTOBER 28, 1994

TO: Max M. Kampelman
FROM: Daniel S. Ehrenberg
RE: Friedman Award Address Citations

I found the following citations and they are properly cited. Where I encountered problems or other difficulties in either locating the citation or where I feel that the citation requested does not meet the suggested citation that is called for, I will discuss my concerns in this memo.

Citation # 3:

Francis Fukuyama, *The End of History?*, 16 Nat'l Interest 3 (1989).

I could not find this article. I found a condensed version in a January 15, 1990 issue of Fortune at pp. 75-77 and an adapted version in volume 6 of the New Perspectives Quarterly at pp. 49-52 (1989).

I am not positive that the title that I cited for the National Interest article is correct. It might be *The End of History and The Last Man*. The page numbers may also be incorrect. Unfortunately, the periodical is not available at Georgetown's Law Library or the DOJ Library. It is also not on-line in any CD-Rom or other computerized database. I have been told that the periodical may be found at the Brookings Institute's Library, John Hopkins SAIS Library and the Georgetown University's Main Library in Georgetown.

Citation # 4:

Samuel P. Huntington, *The Clash of Civilizations?*, 72-3 Foreign Affairs 22 (1993) (arguing that the primary source of conflict in the new world order will be between different civilizations).

I f a page cite is required, I would cite page 48.

Citation #5:

Bangkok Declaration on Human Rights, Regional Meeting For Asia and the Pacific, Bangkok Thailand, March 29 to April 2, 1993 for the World Conference on Human Rights, U.N. Doc. ST/DPI/1373 (1993).

The two sentences preceding the quote state: "The argument is also heard that our effort to foster democracy in other geographic areas is a misguided and doomed effort to transfer the values of our culture to other cultures not hospitable to those values. Our Western values, it is said, particularly to defenders of Middle East and Asian authoritarian systems, are unique to our culture alone."

The Bangkok Declaration does not really support this claim. The most it says is that it "[r]ecognize[s] that while human rights are universal in nature, they must be considered in the context of a dynamic and evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds"

Of course, there may be another Bangkok Declaration or another statement that better supports these two sentences. However, the Bangkok Declaration, I respectfully submit, is not the proper citation.

Citation # 6:

The sentence in which a citation would be helpful states: "Mainland China signed a variety of international conventions and pledged to subscribe to them when it joined the United Nations."

Obviously, a citation to any edition would be appropriate.

Citation # 10:

Zbigniew Brzezinski, *'Never Again' -- Except for Bosnia*, N.Y. Times, April 22, 1993, at A25.

The End of History and the Last Man
Summer 1989, vol. 16, pp. 3-18
New York Free Press, 1992
Francis Fukiyama

(Rochelle)

Columbia Journal Reprint of 3/30/95 Speech

Anthony ✓

Berger ✓

Billington

Bogen

Brzezinski

Cobb

Crocker

Dittberner

Eisenberg

Eizenstat

Fleischer

Graham

Jacobson

Juceam

Mitchell, Andrea

Moses

Perrotti, Laura

Pitt

Scammon

Schifter

Scheler

Schwebel, Judge Stephen M. ✓

Silverman

Solomon

Vartanian

Yost

Zax

MAX M. KAMPELMAN
SUITE 800
1001 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004-2505

March 19, 1994

Mr. Glenn R. Butterson
Editor in Chief
Columbia Journal of Transnational Law
School of Law, Columbia University
New York, NY 10027

Dear Mr. Butterson:

I'm writing to acknowledge receipt of your March 9 letter addressed to Amb. Kampelman. It is most helpful in providing us with the necessary details.

Amb. Kampelman will not attend the Friedman Conference during the day, but will plan on arriving on your campus late in the afternoon of March 31 where he will be pleased to stay overnight in your East Campus Tower. His plan is to return to Washington the next morning.

Sincerely,



Sharon H. Dardine
Assistant to Max M. Kampelman

Columbia Journal of Transnational Law

SCHOOL OF LAW, COLUMBIA UNIVERSITY

NEW YORK, N. Y. 10027

March 9, 1994

Amb. Max Kampelman
Fried, Frank, Harris, Shriver & Jacobson
1001 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20004-2505

Laurie Damrosch
will introduce

Dear Ambassador Kampelman:

I write with details of the Friedmann Award and Dinner (sponsored by the Columbia Journal of Transnational Law), and also the Friedmann Conference (sponsored by the Columbia Society for International Law).

As for the Award, the Journal pays for various expenses associated with the costs of bringing the recipient to New York. These are as follows:

1. Round Trip Air Transportation - The Journal will pay for the cost of one round-trip flight on the Delta Shuttle between Washington National Airport and LaGuardia Airport, on a two-week advanced purchase basis. This amounts to \$142.00. For efficiency, we ask you to make all travel arrangements yourself. If you choose not to book your ticket two weeks in advance, or decide to use some other mode of transportation, the Journal will still pay \$142.00 towards the cost of such expenses.
2. Airport Taxis - The Journal will pay for the cost of taxicabs in Washington, D.C. (i.e. between Washington National Airport and your home or office) and New York City (i.e. between LaGuardia Airport and Columbia University) at both ends of your trip.
3. Overnight Accommodation - The Journal will make arrangements for you to stay overnight in the East Campus Tower, which is the site of Faculty House guest accommodations, on the night of the Dinner, March 31. If you plan not to stay overnight, or if you plan to stay elsewhere in the New York area, please let us know as soon as possible; otherwise, we will assume that you will be staying in the East Campus Tower.

*ONLY IF
STAYING SAT
NIGHT*

4. Reimbursement - Please save all of your taxi and airplane (or comparable) receipts and mail photocopies or originals of them to the Journal offices so that we may reimburse you (the mailing address is: Columbia Journal of Transnational Law; Att'n: Ms. Julie Abraham; Columbia Law School; 435 West 116th Street; New York, New York 10027).

As for the scheduling of the Conference and Dinner, the date for both events will be March 31, 1994, as expected. The tentative hour-by-hour schedule for the two events is as follows:

I. Friedmann Conference

A. Title: A New South Africa: On the Verge of Participatory Democracy.

B. Location: Columbia University School of International and Public Affairs ("SIPA"), 15th floor [Access to this building may be had via 118th Street, just east of Amsterdam Avenue, or via the Columbia Law School building, whose main entrance is on 116th Street, just east of Amsterdam Avenue.]

C. Schedule

1. Registration: 12:00 - 12:45 pm
2. Welcome: 12:45 - 1:15 pm
3. Panel One: 1:15 - 3:00 pm (Reallocation of Land and Property Rights Under a New Constitution)
4. Coffee Break: 3:00 pm
5. Panel Two: 3:30 - 5:15 pm (Gender Issues in a Multi-Racial, Multi-Ethnic South African Democracy)
6. Cocktail Reception: 5:15 pm

II. Friedmann Dinner & Award Presentation

A. Location: Faculty House, Columbia University [Access to this building may be had via an outdoor plaza at gates on north side of 116th Street, just east of Amsterdam Avenue, or via the Columbia Law School building, whose main entrance is on 116th Street, just east of Amsterdam Avenue.] }

B. Schedule

- 6:30⁰
1. Cocktail Reception: 6:00 - 7:00 pm
 2. Dinner & Award Presentation: 7:00 pm

*Substantive
will follow*

As the schedule indicates, if you wish to attend the Conference in its entirety, you should plan on arriving at the University no later than 12:30 pm. However, if you wish only to attend the Dinner, you should plan on arriving at the Faculty House for the Cocktail Reception (which will occur from 6 to 7 pm). We will, of course, notify you if there is any change in these dates, times or locations.

If you have any questions, please don't hesitate to phone me at my home in New York (212-663-6852) or, during the upcoming Spring Vacation (March 12 - 20), in Boston (617-630-9841).

We very much look forward to seeing you on March 31.

Sincerely,



Glenn R. Butters,
Editor-in-Chief

enclosures: copy of February 26, 1994 letter

(F) 3/31

Columbia Journal of Transnational Law

SCHOOL OF LAW, COLUMBIA UNIVERSITY
NEW YORK, N. Y. 10027

March 22, 1994

Amb. Max Kampelman
Fried, Frank, Harris, Shriver & Jacobson
1001 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20004-2505

Dear Ambassador Kampelman:

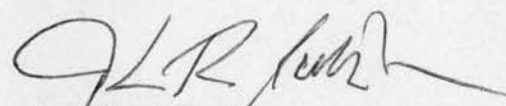
Please find enclosed some photocopies of materials about Wolfgang Friedmann that the Journal published in 1971. Included are a brief biography (page 1), a full bibliography (page 32) and a number of tributes (page 2ff.) which you may find useful.

Plans for the Dinner remained on schedule and unchanged. In addition, let me confirm in writing that Prof. Lori Fisler Damrosch will be introducing you at the Dinner.

Thank you for sending us both your biographical sketch and full length resume. They will be very helpful.

We very much look forward to seeing you on March 31.

Best Regards,


Glenn R. Butters,
Editor-in-Chief

enclosures: photocopies