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The Role of Law in the World

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SENATOR SAM NUNN
REMARKS
UNIVERSITY OF GEORGIA
LAW DAY
APRIL 14, 1984

Fyco

DEAN BEAIRD, SPEAKER MURPHY, MEMBERS OF THE LEGISLATURE, STUDENTS, FACULTY AND ALUMNI OF THE UNIVERSITY OF GEORGIA LAW SCHOOL, DISTINGUISHED GUESTS: IT IS A GREAT HONOR TO JOIN YOU IN CELEBRATING THE 125TH ANNIVERSARY OF THE LAW SCHOOL.

THE UNIVERSITY OF GEORGIA TRUSTEES SET THEIR SIGHTS HIGH IN 1859 WHEN THEY VOTED TO ESTABLISH A LAW SCHOOL "IN WHICH FACILITIES FOR THE BEST LEGAL EDUCATION WOULD BE AFFORDED." THANKS TO THE EFFORTS OF SEVERAL GENERATIONS OF TEACHERS, STUDENTS, ADMINISTRATORS, ALUMNI, AND OUR STATE GOVERNMENT, THIS COMMITMENT TO EXCELLENCE HAS BEEN MORE THAN FULFILLED. AS A GEORGIAN, I AM PROUD OF THIS LAW SCHOOL AND ITS GRADUATES.

TODAY, THE UNIVERSITY OF GEORGIA LAW SCHOOL'S REPUTATION REACHES BEYOND OUR STATE BORDERS AND EVEN BEYOND OUR NATIONAL BORDERS. WITH PRESTIGIOUS LEADERS SUCH AS DEAN RUSK, RALPH BEAIRD, THOMAS SCHOENBAUM AND LOUIS SOHN, YOU HAVE BECOME ONE OF THE PREMIER CENTERS FOR THE STUDY OF INTERNATIONAL LAW.

AS WE CELEBRATE LAW DAY AT THIS OUTSTANDING UNIVERSITY, THE ROLE OF LAW IN THE WORLD IS UNDER SEVERE STRAIN. ONE OF THE GREATEST THREATS IS THE SPREAD OF VIOLENCE AND TERRORISM.

FROM 1973 THROUGH 1982, 7,623 PERSONS WERE WOUNDED IN INTERNATIONAL TERRORIST ATTACKS (INCLUDING POPE JOHN PAUL II) AND

3,509 WERE KILLED. THIS INCLUDES 87 ASSASSINATIONS OR ATTEMPTED ASSASSINATIONS OF AMERICANS.

TERRORISM SPRINGS FROM MANY CAUSES, INCLUDING POLITICAL, RELIGIOUS OR ETHNIC DIFFERENCES, POVERTY, REPRESSION AND REAL OR PERCEIVED INJUSTICES. SOMETIMES TERRORISM IS JUST CRIMINAL BEHAVIOR CLOAKED IN POLITICAL RHETORIC.

USUALLY, HOWEVER, TERRORISTS ARE DESPERATE PEOPLE, WILLING TO UNDERTAKE DESPERATE ACTS TO DRAW ATTENTION TO THEIR CAUSE, PUNISH THEIR ENEMIES, OR ACCOMPLISH SOME GOAL THEY COULD NOT OTHERWISE OBTAIN.

HOW DOES OUR SOCIETY COPE WITH THIS CHALLENGE?

ON THE DOMESTIC FRONT, CONGRESS HAS ENACTED A NUMBER OF PROVISIONS WHICH PROHIBIT AID OR MILITARY SALES TO GOVERNMENTS WHICH AID OR ABET TERRORISTS. EVEN THOUGH THESE STATUTES HAVE BEEN INVOKED AGAINST SOME GOVERNMENTS -- LIKE CUBA, SYRIA, NORTH YEMEN AND LIBYA -- THEY HAVE HAD REGRETTABLY LITTLE EFFECT.

THE FBI HAS DEVELOPED SWAT TEAMS TO DEAL WITH DOMESTIC TERRORIST ACTS, AND THUSFAR HAS A NOTABLE RECORD OF SUCCESS AND DETERRENCE IN OUR OWN COUNTRY. WE HAVE IMPROVED INTELLIGENCE COLLECTION AND COORDINATION BETWEEN GOVERNMENT AGENCIES RESPONSIBLE FOR DEALING WITH DOMESTIC TERRORISM.

SINCE THE TRAGIC BOMBING IN BEIRUT LAST FALL, OUR MILITARY IS BEGINNING TO TAKE STEPS TO DEAL WITH TERRORIST ATTACKS. ON THE INTERNATIONAL FRONT, THE UNITED STATES IS PARTY TO A NUMBER OF MULTILATERAL CONVENTIONS, INCLUDING:

- ANTI-HIJACKING AND AIRCRAFT SABOTAGE,
- PROTECTION OF NUCLEAR MATERIALS,
- THE PROTECTION OF DIPLOMATS,
- THE TAKING OF HOSTAGES, AS WELL AS
- A NUMBER OF REGIONAL AGREEMENTS.

THE REAL SOLUTION TO TERRORISM MUST COME FROM AN UNDERSTANDING THAT ALL STATES HAVE A STAKE IN CONTROLLING TERRORISM AND THAT COOPERATION UNDER INTERNATIONAL LAW IS ESSENTIAL. UNFORTUNATELY, THAT COOPERATION IS VERY DIFFICULT TO OBTAIN.

AN ACT THAT ONE STATE SEES AS CRIMINAL TERROR, ANOTHER STATE SEES AS A LEGITIMATE EFFORT AT SELF-DETERMINATION BY AN OPPRESSED PEOPLE. THIS FUNDAMENTAL DILEMMA CAN BEST BE SUMMED UP IN THE EXPRESSION THAT ONE MAN'S FREEDOM FIGHTER IS ANOTHER MAN'S TERRORIST.

WHEN A RADICAL PALESTINIAN THROWS A BOMB IN A CROWDED MARKETPLACE IN ISRAEL, I CALL IT TERRORISM; MUCH OF THE THIRD WORLD SEES IT AS A LEGITIMATE ACT. I BELIEVE THE AFGHANS FIGHTING FOR THEIR INDEPENDENCE FROM THE SOVIET-IMPOSED GOVERNMENT ARE STRUGGLING FOR THEIR FREEDOM; THE SOVIETS REGARD THEM AS TERRORISTS. PRESIDENT REAGAN HAS CALLED THE FORCES FIGHTING THE SANDINISTA GOVERNMENT IN NICARAGUA "FREEDOM

FIGHTERS"; THE SOVIETS AND THE NICARAGUANS CALL THEM "STATE-SPONSORED TERRORISTS."

THE UNITED STATES MUST CONTINUE TO WORK FOR INTERNATIONAL COOPERATION, BUT WE MUST ALSO BE PREPARED TO ACT ON OUR OWN. SHORTLY AFTER TAKING OFFICE, PRESIDENT REAGAN WARNED TERRORISTS THAT WHEN THE RULES OF INTERNATIONAL BEHAVIOR ARE VIOLATED, OUR POLICY WILL BE ONE OF SWIFT AND EFFECTIVE RETRIBUTION. DEPARTMENT OF STATE OFFICIALS HAVE ADDED THAT THE UNITED STATES WILL NOT PAY RANSOM OR RELEASE PRISONERS IN RESPONSE TO TERRORIST DEMANDS. I SUPPORT THAT POLICY, AS DO MOST AMERICANS.

SECRETARY OF STATE SHULTZ RECENTLY SAID THAT "IT IS INCREASINGLY DOUBTFUL THAT A PURELY PASSIVE STRATEGY CAN EVEN BEGIN TO COPE WITH TERRORISM." HE WENT ON TO CITE THE INVOLVEMENT OF IRAN, SYRIA, LIBYA AND NORTH KOREA IN SUPPORTING TERRORISM, AND CALLED FOR AN ACTIVE DEFENSE AGAINST TERRORISM, INCLUDING THE USE OF "PREVENTIVE OR PREEMPTIVE ACTION." I BELIEVE THE SECRETARY HAS RAISED A LEGITIMATE POINT WHICH DEMANDS OUR ATTENTION.

I DO NOT BELIEVE THAT THE RIGHT OF SELF-DEFENSE UNDER INTERNATIONAL LAW PRECLUDES A LIMITED USE OF FORCE TO CONDUCT A PREEMPTIVE STRIKE AGAINST THE THREAT OF ARMED TERRORIST ATTACK IF THERE IS A SUFFICIENT DEGREE OF CERTAINTY IN THE EVIDENCE AVAILABLE TO US.

THE UNITED STATES, HOWEVER, MUST BE VERY CAREFUL IN THE EXERCISE OF ANY SUCH USE OF FORCE. OUR BEST MINDS, BOTH IN AND OUT OF GOVERNMENT, MUST CAREFULLY CONSIDER ANY POLICY WHICH INVOLVES THE USE OF PREEMPTIVE STRIKES. WE ARE THE MOST POWERFUL NATION IN THE WORLD, THE LEADER OF THE FREE WORLD AND A NATION WHICH PRIDES ITSELF IN THE RULE OF THE LAW. WE MUST NOT CONTRIBUTE TO THE WORLD DRIFT TOWARD LAWLESSNESS BY GIVING OTHERS AN EXCUSE TO CITE OUR ACTIONS AS PRECEDENT.

THE ROLE OF LAW IN THE CONDUCT OF U.S. FOREIGN POLICY HAS RECENTLY BEEN THE SUBJECT OF A GREAT DEAL OF ATTENTION BOTH IN THE PRESS AND IN CONGRESS. I AM SPEAKING, OF COURSE, OF ALLEGATIONS THAT THE UNITED STATES IS ATTEMPTING TO OVERTHROW THE GOVERNMENT OF NICARAGUA AND THAT THE CIA HAS MINED PORTS IN NICARAGUA.

THESE ALLEGATIONS, AND THE DECISION LAST WEEK BY THE REAGAN ADMINISTRATION TO WITHDRAW JURISDICTION OF THE WORLD COURT ON THE EVE OF A LAWSUIT BY NICARAGUA, HAVE RAISED SERIOUS QUESTIONS AROUND THE WORLD AS TO THE COMMITMENT OF OUR PRESENT GOVERNMENT TO THE RULE OF LAW.

THIS PAST WEEK THERE WAS VIGOROUS DISCUSSION OF THESE ISSUES IN EXECUTIVE SESSIONS OF THE SENATE. MUCH OF THE DEBATE WAS ON THE QUESTION OF WHETHER OR NOT THIS ALLEGED ACTIVITY VIOLATED OUR NATION'S LONGSTANDING COMMITMENT TO INTERNATIONAL LAW.

MANY OF US WERE CONCERNED WITH WHETHER THE ACT OF MINING HARBORS IN NICARAGUA WAS A LEGITIMATE USE OF FORCE IN SELF-DEFENSE, OR CROSSED THE LINE INTO INDISCRIMINATE ATTACKS ON INNOCENT THIRD PARTIES.

AS YOU KNOW, ON TUESDAY OF THIS PAST WEEK THE SENATE BY AN OVERWHELMING VOTE OF 84 TO 12 ADOPTED A RESOLUTION EXPRESSING THE SENSE OF THE SENATE THAT NO FUNDS SHOULD BE USED TO MINE HARBORS IN NICARAGUA. ON THURSDAY, THE HOUSE ADOPTED THE SAME RESOLUTION BY A VOTE OF 281-111. AN OVERWHELMING MAJORITY OF DEMOCRATS AND REPUBLICANS IN BOTH HOUSES SUPPORTED THIS RESOLUTION.

IT IS IMPORTANT TO UNDERSTAND THAT THESE VOTES WERE ON THE IMPORTANT BUT NARROW ISSUE OF MINING. A FEW DAYS EARLIER, THE SENATE VOTED OVERWHELMINGLY IN FAVOR OF CONTINUING SUPPORT FOR ACTIVITIES DESIGNED TO DISRUPT THE FLOW OF ARMS FROM NICARAGUA TO EL SALVADOR.

I VOTED WITH THE MAJORITY ON BOTH COUNTS. THUS, THE SENATE HAS DRAWN A LINE BETWEEN THOSE ACTIVITIES THAT IT BELIEVES ARE LEGITIMATE AND THOSE THAT IT DOES NOT, SUCH AS THE MINING.

HAS THIS LINE BEEN DRAWN IN THE RIGHT PLACE?

AS ALL LAWYERS RECOGNIZE, THE LAW DRAWS MANY LINES, AND KNOWING WHERE TO DRAW THEM IS ALWAYS DIFFICULT. THIS IS ESPECIALLY TRUE IN CENTRAL AMERICA.

IT IS IMPORTANT TO RECOGNIZE THAT EL SALVADOR IS THE VICTIM OF ARMED SUBVERSION WHICH IS SUPPORTED BY NICARAGUA AND CUBA AND THAT A SUBSTANTIAL AMOUNT OF ARMS AND MATERIAL HAS PASSED FROM NICARAGUA TO THE REBELS IN EL SALVADOR.

IT IS IMPORTANT TO RECOGNIZE THE SUPPORT OF THE INSURGENTS IN EL SALVADOR BY NICARAGUA VIOLATES ONE OF THE FUNDAMENTAL PRECEPTS OF INTERNATIONAL LAW, THAT ONE STATE SHALL NOT INTERFERE IN THE INTERNAL AFFAIRS OF ANOTHER COUNTRY. IT IS IMPORTANT TO RECOGNIZE THAT THE VICTIM OF AN ARMED ATTACK, EL SALVADOR, HAS THE RIGHT UNDER ARTICLE 51 OF THE UN CHARTER AND ARTICLE 21 OF THE CHARTER OF THE OAS TO TAKE MEASURES IN SELF-DEFENSE. EL SALVADOR ALSO HAS THE RIGHT TO REQUEST ASSISTANCE FROM OTHER GOVERNMENTS, AS IT HAS DONE BY ASKING FOR OUR ASSISTANCE.

IT AS I READ INTERNATIONAL LAW, ACTIONS TAKEN IN SELF-DEFENSE MUST BE NECESSARY MEASURES, AND MUST BE PROPORTIONATE TO THE ARMED ATTACK. MEASURES TAKEN IN SELF-DEFENSE MAY INCLUDE MILITARY ACTION AGAINST TARGETS IN NICARAGUA WHICH SUPPORT THE INSURGENTS IN EL SALVADOR. IT IS CERTAINLY ARGUABLE THAT THIS RIGHT EXTENDS TO THE SUPPORT OF FORCES CONDUCTING MILITARY ACTIVITIES IN NICARAGUA, PROVIDED THAT THE MILITARY ACTIONS ARE NECESSARY AND PROPORTIONATE RESPONSES TO THE NICARAGUAN SUPPORT FOR THE GUERRILLAS IN EL SALVADOR.

ANY USE OF THE SELF-DEFENSE DOCTRINE TO JUSTIFY ARMED ACTIONS WITHIN THE TERRITORY OF ANOTHER STATE MUST BE CAREFULLY CIRCUMSCRIBED. IF OUR NATION APPLIES THIS DOCTRINE TOO BROADLY, IT WOULD DAMAGE OUR

LEGAL STANDING AND OUR MORAL CREDIBILITY IN TAKING A LEAD AGAINST TERRORISM IN THE WORLD.

LET US TURN TO THE SPECIFIC ALLEGATION THAT OUR GOVERNMENT HAS SUPPORTED MINING OF HARBORS IN NICARAGUA. UNDER CLASSIC INTERNATIONAL LAW, AS PRACTICED IN THE 19TH CENTURY, MINING WOULD BE CONSIDERED AN ACT OF WAR AND WOULD PROBABLY NOT BE DONE WITHOUT A DECLARATION OF WAR OR CERTAINLY NOTIFICATION AND WARNING TO INNOCENT PARTIES.

UNDER CONTEMPORARY INTERNATIONAL LAW, THE QUESTION IS WHETHER MINING OF THE HARBORS IS A PROPORTIONATE AND NECESSARY RESPONSE TO THE NICARAGUAN SUPPORT FOR THE INSURGENTS IN EL SALVADOR? AND IT IS HERE THAT I BELIEVE ARGUMENTS IN FAVOR OF THE MINING BREAK DOWN. MINING HARBORS WHICH HANDLE NOT ONLY MILITARY CARGO BUT ALSO THIRD PARTY CIVILIAN VESSELS CARRYING NON-MILITARY EQUIPMENT IS, IN MY VIEW, NOT A NECESSARY AND PROPORTIONATE RESPONSE. MINING IS, BY ITS NATURE, INDISCRIMINATE. MINES CANNOT DISTINGUISH BETWEEN CURAN VESSELS CARRYING ARMS DESTINED FOR EL SALVADOR AND BRITISH, FRENCH, OR EVEN AMERICAN MERCHANT VESSELS CARRYING GRAIN OR HOSPITAL SUPPLIES.

IT WAS THE INDISCRIMINATE NATURE OF THE MINING, TOGETHER WITH THE ESCALATION OF THE CONFLICT THAT IT REPRESENTED, THAT CAUSED OUR CLOSEST ALLIES, INCLUDING BRITAIN AND FRANCE, TO SHARPLY CRITICIZE THIS ACTION AND CAUSED BOTH THE SENATE AND THE HOUSE TO PROHIBIT ANY U.S. FUNDS TO BE USED FOR MINING IN NICARAGUAN PORTS.

MANY IN CONGRESS WERE ALSO DEEPLY TROUBLED BY THE DECISION OF THE ADMINISTRATION TO MODIFY OUR AGREEMENT TO THE MANDATORY JURISDICTION OF THE WORLD COURT. IN MY VIEW, THIS WAS A MISTAKE FOR TWO REASONS.

FIRST, IT HAS PLACED US IN A VERY BAD LIGHT INTERNATIONALLY. HOW CAN WE SUPPORT THE RULE OF LAW WHEN WE WITHDRAW FROM JURISDICTION OF THE COURT AS SOON AS IT APPEARS WE WILL BE DEFENDANTS? HOW CAN WE SEEK TO USE THE WORLD COURT TO OBTAIN THE RELEASE OF THE HOSTAGES IN IRAN, AS WE DID, AND THEN REFUSE TO SUBJECT OURSELVES TO THE JURISDICTION OF THE COURT?

SECOND, OUR ACTIONS ARE SEEN BY THE WORLD AS AN ADMISSION OF GUILT. THE WORLD HAS PERCEIVED THAT WE ARE PLEADING GUILTY IN ADVANCE, A FAR WORSE RESULT THAN IF WE LITIGATED AND LOST.

IN SUMMARY, THE FAILURE OF HIGH LEVEL OFFICIALS IN OUR OWN GOVERNMENT TO FOLLOW AT LEAST THE GENERAL PRECEPTS OF INTERNATIONAL LAW PARADOXICALLY GENERATED WORLD SYMPATHY FOR A MARXIST REGIME IN NICARAGUA THAT HAS BRUTALLY SUPPRESSED HUMAN RIGHTS AT HOME AND SUPPORTS INSURGENCIES AGAINST ITS NEIGHBORS. THE EVENTS HAVE ALSO CREATED THE DEFINITE POSSIBILITY THAT CONGRESS MAY, UNWISELY IN MY VIEW, TURN THUMBS DOWN ON THE REAGAN ADMINISTRATION'S ENTIRE CENTRAL AMERICAN POLICY.

THERE ARE MANY IN THIS COUNTRY AND IN HIGH GOVERNMENTAL POSITIONS WHO ASK: WHY SHOULD OUR NATION BE HELD TO HIGH STANDARDS OF INTERNATIONAL LAW WHILE OUR PRINCIPAL ADVERSARY, THE SOVIET UNION,

BEHAVES AS A ROGUE THROUGHOUT THE WORLD. GOOD QUESTION -- TOUGH, BUT IMPORTANT ANSWER.

CAN WE SOLVE THE PROBLEM OF TERRORISM IN THE WORLD SIMPLY BY ADHERING TO AND PREACHING THE VIRTUES OF THE RULE OF LAW? THE ANSWER IS NO, BUT THIS DOES NOT DIMINISH THE IMPORTANCE OF THE RULE OF LAW.

WE IN THIS COUNTRY BELIEVE IN THE RULE OF LAW IN THE CONDUCT OF OUR DOMESTIC AND INTERNATIONAL AFFAIRS. WE DO NOT FOLLOW THE RULE OF LAW BECAUSE WE NAIVELY BELIEVE THAT WE WILL SET AN EXAMPLE THAT THE SOVIETS WILL FOLLOW. WE FOLLOW THE RULE OF LAW BECAUSE THE LAW PROVIDES A GUIDING SET OF PRINCIPLES UPON WHICH TO BASE OUR POLICY, WHETHER FOREIGN OR DOMESTIC.

ADHERENCE TO THE RULE OF LAW ASSURES A DEGREE OF CONSISTENCY IN OUR FOREIGN POLICY. IT ALSO ENCOURAGES BIPARTISANSHIP SUPPORT FOR OUR FOREIGN POLICY. PRESIDENT REAGAN AND SECRETARY SHULTZ HAVE RECENTLY BEEN CALLING FOR SUCH BIPARTISANSHIP; I SUGGEST THAT THEY BEGIN BY CONDUCTING OUR FOREIGN POLICY WITH THE PRINCIPLES OF INTERNATIONAL LAW FIRMLY IN MIND.

THE RULE OF LAW IS ENGRAINED IN OUR CONCEPT OF OURSELVES AND OUR REPUBLIC. WE MAY BE ABLE TO CONDUCT OUR AFFAIRS, WHETHER FOREIGN OR DOMESTIC, FOR A WHILE WITHOUT REGARD FOR THE LAW, BUT IT ALWAYS CATCHES UP WITH US IN THE END. THE AMERICAN PEOPLE WILL NOT TOLERATE ILLEGAL CONDUCT. IT IS ONE OF OUR GREATEST STRENGTHS. WE MUST NEVER LOSE SIGHT OF THAT SIMPLE FACT.

AND SO, THE UNITED STATES MUST REALIZE THE CONSEQUENCES OF OUR ACTIONS, BUT SO MUST OTHER STATES, PRIMARILY THE SOVIET UNION. IT IS CLEAR THAT THEY DIRECTLY SUPPORT MANY SO-CALLED "NATIONAL LIBERATION MOVEMENTS" AND THAT THEY ALSO SUPPORT TERRORIST ACTIVITIES. THIS TYPE OF CONDUCT IS CLEARLY VIOLATIVE OF INTERNATIONAL LAW. IS IT REALLY IN THE SOVIETS' SELF-INTEREST?

IT IS OFTEN NOT POSSIBLE TO FORSEE THE CONSEQUENCES OF A TERRORIST ACT. THE WORLD MUST NOT FORGET THAT A TERRORIST ACT--THE ASSASSINATION OF THE ARCHDUKE FRANCIS FERDINAND--TRIGGERED WORLD WAR I.

THE GLOBAL IDEOLOGICAL AND POLITICAL STRUGGLE BETWEEN OURSELVES AND THE SOVIET UNION IS SUPERIMPOSED ON AN INCREASINGLY FRACTIOUS AND TROUBLED WORLD--A WORLD IN WHICH BOTH TERRORIST ACTIVITIES AND NUCLEAR KNOW-HOW ARE PROLIFERATING.

THERE ARE AN INCREASING NUMBER OF CIRCUMSTANCES THAT COULD PRECIPITATE THE OUTBREAK OF NUCLEAR WAR THAT NEITHER SIDE ANTICIPATED OR INTENDED, POSSIBLY INVOLING OTHER NUCLEAR POWERS OR TERRORIST GROUPS.

THIS SPREAD OF NUCLEAR KNOW-HOW, EQUIPMENT, AND MATERIALS ALSO SUGGESTS A RISING DANGER OF NUCLEAR TERRORISM. WHILE THE SPECIFIC RISK THAT IN ANY ONE YEAR ANY PARTICULAR SUB-NATIONAL GROUP OR FANATICAL NATIONAL LEADER MIGHT ACQUIRE A NUCLEAR DEVICE IS, NO DOUBT, A LOW PROBABILITY, THE CUMULATIVE RISK COVERING ALL SUCH GROUPS OVER

TEN OR TWENTY YEARS MAY BE VERY GREAT INDEED. ONCE IN THE HANDS OF SUCH AN INDIVIDUAL OR GROUP, THE POTENTIAL FOR LAWLESSNESS WOULD BE UNLIMITED--INCLUDING EXTORTION, REVENGE, OR AN ATTEMPT TO TRIGGER A NUCLEAR CONFLICT BETWEEN THE SUPERPOWERS.

THE SENATE FOREIGN RELATIONS COMMITTEE THIS WEEK PASSED A RESOLUTION SPONSORED BY SENATOR JOHN WARNER AND MYSELF CALLING FOR THE ESTABLISHMENT OF RISK REDUCTION CENTERS IN THE UNITED STATES AND THE SOVIET UNION TO MAINTAIN A ROUND-THE-CLOCK WATCH ON ANY EVENT WHICH COULD LEAD TO A NUCLEAR INCIDENT. THESE CENTERS WOULD BE DESIGNED TO REDUCE THE RISK OF NUCLEAR TERRORISM, BUILD CONFIDENCE BETWEEN THE TWO SIDES, AND AVOID THE BUILD-UP OF TENSION AND MISUNDERSTANDING THAT COULD LEAD TO A NUCLEAR CONFRONTATION.

MY HOPE IS THAT THE ADOPTION OF THESE MEASURE WILL NOT ONLY REDUCE THE RISK OF NUCLEAR CONFRONTATION, BUT ALSO EVENTUALLY LEAD TO AN INCREASED RECOGNITION BY THE SOVIETS THAT THEY HAVE AN INTEREST IN CURBING TERRORISM AND OTHER ACTIVITIES THAT COULD LEAD TO MILITARY CONFRONTATION.

EVEN THOUGH THE SOVIETS DO NOT FOLLOW THE PRINCIPLES OF INTERNATIONAL LAW IN MANY INSTANCES, THEY DO ACT IN THEIR OWN SELF-INTEREST AS THEY PERCEIVE IT. OUR PRINCIPLE HOPE IS THAT THEY WILL BEGIN TO SEE MORE CLEARLY THE DANGER TO THEIR OWN SOCIETY IN A ERA OF PROLIFERATING WEAPONS AND PROLIFERATING TERRORISM.

I SUGGEST THAT OUR NATION AND THE SOVIET UNION START AT THE TOP BY REDUCING NUCLEAR RISK WITH THE HOPE OF EVENTUALLY WORKING DOWN TOWARD A COOPERATIVE EFFORT TO REDUCE CONVENTIONAL TERRORISM. THIS IS ONE "TRICKLE DOWN APPROACH" I WOULD CHEERFULLY ENDORSE.

AS THE DANGERS GROW, SO TOO MUST THE REALIZATION ON BOTH SIDES THAT IN SPITE OF OUR FUNDAMENTALLY DIFFERENT FORMS OF GOVERNMENT, OUR TOTAL DISAGREEMENT ON HUMAN RIGHTS, AND EVEN OUR DIFFERENCES ON FOLLOWING THE RULE OF LAW, WE DO HAVE CERTAIN MUTUAL INTERESTS. CERTAINLY AT THE TOP OF THAT LIST IS THE PREVENTION OF A NUCLEAR WAR BY ACCIDENT OR MISCALCULATION.

GENERAL GEORGE C. MARSHALL SAID: "IF MAN DOES FIND THE SOLUTION FOR WORLD PEACE, IT WILL BE THE MOST REVOLUTIONARY REVERSAL OF HIS RECORD WE HAVE EVER KNOWN."

IN AN AGE OF PROLIFERATING NUCLEAR WEAPONS AND PROLIFERATING TERRORISM, OUR TASK IS CLEAR BUT AWESOME. WE MUST REVERSE THE COURSE OF HISTORY.