

SPECIAL TRIBUTE

REMEMBERING DEAN RUSK

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I. INTRODUCTION

After Dean Rusk's death on December 20, 1994, the obituaries were filled with his three decades of distinguished public service. Highlighted by his tenure as Secretary of State under John Kennedy and Lyndon Johnson from 1961-69, Rusk played a large role in the post-World War II era in laying to rest the ghost of American isolationism by helping to ensure that the United States met its responsibilities under the United Nations Charter and the North Atlantic Treaty.¹ The ultimate professional in the challenging world of Cold War diplomacy, he was content to serve the nation's presidents to the fullest of his abilities without fanfare or concern for personal recognition.

When history is recounted, Dean Rusk may be most remembered by the world for his firm diplomatic hand and stoic countenance during a period of intense internal and external conflict.² His contemporaries will recall his skilled navigation against the turbulent war resistance of the 1960s.³ For a generation of young Americans who were unfamiliar with his strong support of the United Nations, his efforts to improve U.S.-Soviet relations, and his uncompromising opposition to racism in every form, he came to symbolize the Vietnam war.⁴

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¹ *Dean Rusk*, THE TIMES (LONDON), Dec. 22, 1994, at Features [hereinafter *Dean Rusk*]; *A Diplomat's Diplomat; Dean Rusk Impressed All With His Selfless Professionalism*, PITTSBURGH POST-GAZETTE, Dec. 23, 1994, at C2; *Obituary of Dean Rusk*, DAILY TELEGRAPH, Dec. 22, 1994, at 17 [hereinafter *Obituary*].

² *Dean Rusk; Calm Demeanor Belied the Heart of a Cold Warrior*, HOUSTON CHRON., Dec. 23, 1994, at A34 [hereinafter *Cold Warrior*].

³ *Id.*

⁴ Richard Holbrooke, *The Man Behind the War*, PITTSBURGH POST-GAZETTE, Dec. 25, 1994, at F5.

For those who knew him in Athens and at the University of Georgia, however, Dean Rusk will be remembered for much more. His years in government were only a prelude to his accomplishments during his time as an educator at the University. As a professor, he touched the lives of many students with his selfless attitude and willingness to help. He was articulate, intelligent, generous, and modest. His students will not forget his personal dedication and his concern for his fellow man. The University community will remember Dean Rusk as an educator, one who freely gave his time to and shared his many talents with the students. His contributions to the University of Georgia School of Law and to the *Georgia Journal of International and Comparative Law* as its first advisor were immeasurable; indeed, it is in this vein that the 1995-1996 Managing Board dedicates our 25th Anniversary issue to the memory of Dean Rusk.

II. BACKGROUND

FROM GEORGIA TO OXFORD

On February 9, 1909, David Dean Rusk was born on a small 40-acre farm in the red clay hills of rural Cherokee County, Georgia, about thirty miles north of Atlanta. The youngest of three sons of a former Presbyterian minister, Rusk had a simple childhood, the family's only national or international concern being the rise or fall of the price of cotton.⁵

As a high school graduate in 1926, Rusk worked in the small law office of Augustus Roan, who would later become an Atlanta judge,⁶ while scraping together enough money to attend college.⁷ With a small scholarship and a job at the local bank, he was able to attend Davidson College,⁸ where he graduated *magna cum laude* in 1931 with a bachelor's degree in political science.⁹ Additionally, Rusk was the Rhodes selection committee's choice for the coveted Rhodes scholarship. In the fall of 1931, Rusk left the South to attend St. John's College at Oxford University in England, not knowing that it would be forty years before he would live in Georgia again.¹⁰

⁵ RICHARD RUSK, AS I SAW IT 40 (1990).

⁶ *Id.* at 56.

⁷ *Obituary, supra* note 1, at 17.

⁸ RUSK, *supra* note 5 at 58.

⁹ Tom Bennett, *Dean Rusk: 1909-1994; Deeds Assured Place in History*, ATLANTA CONST., Dec. 22, 1994, at A8.

¹⁰ RUSK, *supra* note 5, at 63.

While at Oxford, Rusk focused on international relations, history, law, politics, and philosophy while pursuing a degree in the Modern Greats.¹¹ Shortly after his arrival, he heard Mahatma Mohandas K. Gandhi speak on the need to defeat Germany and Japan in World War II.

During summer vacations from Oxford, Rusk visited Guernsey and later, Paris and Berlin.¹² Rusk spent most of his vacations from Oxford in Germany, however, bearing witness to the extreme changes in social climate under Adolph Hitler and his Nazi rule.¹³ Rusk enrolled at Hanover University to study German in 1933.¹⁴ He studied economics at the University of Hamburg during his next vacation, and then he combined Christmas and Easter vacations with a leave of absence from Oxford for one term, in order to spend six months in Berlin.¹⁵ Rusk was in Berlin when the Reichstag burned and Hitler seized power in March 1933.¹⁶ Less than two years after hearing Gandhi, Rusk watched and listened as Hitler made a speech.¹⁷

Rusk attended a Nazi rally while in Germany. He described the shout of "Today Germany, tomorrow the world!" by one million Germans as "an eerie, frightening experience" he never forgot.¹⁸ Later, Rusk attended a rally with a friend from India. The Nazi soldier at the gate told Rusk's friend that only Aryans were allowed in the rally.¹⁹ Rusk responded that his friend was the purist form of Aryan²⁰ and the soldier whisked him away, considering this an insult to the Führer, and questioned Rusk for three hours.²¹ The soldier finally decided that Rusk was a crazy American who did not know what he was saying, and Rusk was released. In 1933, Rusk received a bachelor's degree from Oxford University, and in 1934 was

¹¹ *Id.* at 67.

¹² Tom Bennett, *Dean Rusk: 1909-19; Rusk Helped Shape the 20th Century*, ATLANTA CONST., Dec. 21, 1994, at A14 [hereinafter *Century*].

¹³ RUSK, *supra* note 5, at 68.

¹⁴ *Id.* at 75.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Bennett, *supra* note 9, at A8.

¹⁸ RUSK, *supra* note 5, at 78.

¹⁹ *Id.*

²⁰ Aryan is defined as the race of Indo-European speaking people who invaded southwestern Asia and northwestern India in the second millennium B.C. WEBSTER'S II NEW RIVERSIDE UNIVERSITY DICTIONARY 128 (1984).

²¹ RUSK, *supra* note 5, at 78.

awarded his master's degree.²²

As a result of the suffering caused by the Great Depression and World War I, active socialist and labor movements were developing at Oxford and antiwar sentiment was strong. Pacifists had highly visible rallies on Oxford's campus. Rusk would later recall the debates in Oxford over whether Britain should stop Hitler in his tracks when he was beginning to seize territory.²³ Years later, Rusk concluded, "I am personally convinced that this combination of pacifism, isolationism, and public indifference—attitudes prevalent not only at Oxford but in the Western democracies generally—contributed immeasurably to the events that led to World War II."²⁴

A TEACHER IS BORN

When his original application to join the U.S. foreign service was rejected,²⁵ Rusk joined the staff at Mills College in Oakland, California as an associate professor of government and international relations in 1934.²⁶ He simultaneously began law school at the University of California at Berkeley. While at Mills, he met a student named Virginia Foisie and they were married in 1937.²⁷ He spent six years at Mills College and became dean in 1938, inevitably becoming known as "Dean Dean."²⁸ In October of 1940, the Rusks' first son was born.²⁹ In December of that year, Dean Rusk received a telegram from the government: "Greetings. Report for active service."³⁰

WORLD WAR II

When America entered the War after the bombing of Pearl Harbor, Rusk had already been on active service for a year,³¹ having served in military

²² Bennett, *supra* note 9, at A8.

²³ Eric Pace, *Dean Rusk, Secretary of State in Vietnam War, Is Dead at 85*, N.Y. TIMES, Dec. 22, 1994, at A1.

²⁴ RUSK, *supra* note 5, at 66.

²⁵ Anthony Howard, *The Summit Master*, GUARDIAN, Dec. 22, 1994, at T15.

²⁶ RUSK, *supra* note 5, at 84.

²⁷ *Id.* at 86-88.

²⁸ *Id.* at 85-86.

²⁹ *Id.* at 90.

³⁰ *Id.* at 95.

³¹ *Dean Rusk, supra* note 1, at Features.

intelligence and enrolled in the Fort Leavenworth Command School for General Staff.³² During the war, he was staff officer³³ of the Operations Division of the War Department General Staff in the China-Burma-India theater, helping coordinate the building of the Burma Road and the airlift of supplies "Over the Hump" of the Himalayas.³⁴

Rusk arrived home on leave in June 1945 and joined his wife and child at Mills College. He was re-assigned to the Operations Division of the War Department to work with long-range policy planning.³⁵ His group helped to plan the postwar occupation of Germany, the terms of the surrender and occupation of Japan, and the United States' role in the United Nations,³⁶ and was planning an invasion on Japan when President Harry S. Truman ordered the atomic bombing of Japan.³⁷

Rusk had been appalled at what he described as "the passivity of democracies in refusing to face up to Japanese and German aggression."³⁸ In his memoirs, *As I Saw It*, Rusk said a major lesson he had learned from World War II was that "unless we confronted Communist aggression, the world would once again witness the sorry experience of the 1930s when one unmet act of aggression led to another and eventually to world war."³⁹ His memories of the years of appeasement were later to play a large part in developing his hard-line attitudes to the communist threat in South-East Asia.⁴⁰

THE TRUMAN YEARS

In February 1946 Rusk had been discharged from the Army and accepted an appointment as Assistant Chief of the Division of International Security Affairs with the State Department, focusing on the emerging world order.⁴¹

³² *Obituary*, *supra* note 1, at 17.

³³ While stationed in Washington, Rusk integrated an officers' mess hall by taking Ralph Bunche, a black officer, to lunch with him. Bunche later was a United Nations undersecretary general. *Century*, *supra* note 12, at A14.

³⁴ Bennett, *supra* note 9, at A8.

³⁵ RUSK, *supra* note 5, at 119.

³⁶ *Id.* at 120.

³⁷ *Id.* at 121.

³⁸ *Tyranny's Foe*, *COURIER-J.*, Dec. 22, 1994, at 10A.

³⁹ RUSK, *supra* note 5, at 129.

⁴⁰ Howard, *supra* note 25, at T15.

⁴¹ RUSK, *supra* note 5, at 125.

Under President Harry Truman and General George Marshall in Washington, Rusk helped devise and implement the Marshall Plan to rebuild a war-torn Europe⁴² and form NATO.⁴³ He worked on the Soviet threat to Iran, the founding of the United Nations, the first Soviet-American arms talks, the birth of Israel and the Berlin blockade.⁴⁴ Rusk suggested the Berlin Airlift as a means to circumvent the Soviets' blockade of the city.⁴⁵ By 1949, Rusk had risen to Deputy Under-Secretary of State.⁴⁶

In 1950, Rusk loyally asked to be reassigned to the controversial post of Assistant Secretary of State for Far Eastern Affairs.⁴⁷ When the North Koreans invaded South Korea, Rusk played a part in the U.S. decision to intervene⁴⁸ and in enlisting UN support for resisting the incursion.⁴⁹ He helped set the 38th parallel, which divided Korea into North and South Korea,⁵⁰ and which was to be of major significance in the war that the new United Nations Organization was soon to fight.⁵¹ Health problems caused Rusk to resign from the State Department in 1952.⁵² He served as president of the Rockefeller Foundation⁵³ until 1960, when President John F. Kennedy asked Rusk to be his Secretary of State.

⁴² *Rusk Rose From Humble Roots to Statesmanship*, ATLANTA CONST., Dec. 22, 1994, at A18 [hereinafter *Humble Roots*].

⁴³ Bennett, *supra* note 9.

⁴⁴ *Obituary*, *supra* note 1.

⁴⁵ Bennett, *supra* note 9, at A8.

⁴⁶ *Obituary*, *supra* note 1.

⁴⁷ RUSK, *supra* note 5, at 160. This move was clearly a voluntary demotion for Rusk. *Id.*

⁴⁸ A.J. Hostetler, *Ex-secretary of State Dean Rusk Dies*, COMMERCIAL APPEAL, Dec. 22, 1994, at 6A.

⁴⁹ *Obituary*, *supra* note 1, at 17.

⁵⁰ *Humble Roots*, *supra* note 42, at A18.

⁵¹ *Dean Rusk*, *supra* note 1.

⁵² *Id.*

⁵³ As president of the Foundation, Rusk presided over the distribution of some \$250 million, much of it in aid to Asia, Africa and Latin America. RUSK, *supra* note 5, at 178. He also chaired the Council on Foreign Relations. Bennett, *supra* note 9.

THE KENNEDY YEARS

The Kennedy-Rusk years began disastrously with the Bay of Pigs invasion of Cuba in 1961.⁵⁴ Although he quietly cautioned President Kennedy against the Bay of Pigs operation, anticipating that the Cuban people might not rise up against the Castro regime,⁵⁵ he was non-committal about the invasion and was unable to prevent the fiasco.⁵⁶

Four months later, Nikita Khrushchev ordered the erection of the Berlin Wall. Rusk created the Berlin Task Force in the State Department as the focal point for intergovernmental decision-making and recommendations to the President.⁵⁷

In 1962, just as the Berlin crisis had begun to fade, Khrushchev embarked on his most audacious gamble—the massive covert movement of Soviet forces and nuclear weapons to Castro's Cuba.⁵⁸ The Soviet Union had constructed a missile launching site in Cuba, and Soviet ships believed to be carrying missiles were en route. In mid-October 1962 the United States and the Soviet Union appeared headed for war. President Kennedy, on the advice of Rusk and others, imposed a naval blockade around Cuba. The world held its breath as Kennedy ordered the Soviets to dismantle Cuban missile sites aimed at the United States. No one knew how the Soviets would react and there were real fears that nuclear war might result.

Rusk doubted early intelligence reports brought by fanatic anti-Communists in the CIA, and kept insisting that the Soviets were rational politicians.⁵⁹ Rusk received Soviet terms for a settlement from an ABC News Commentator who had met with a high-ranking KGB officer at a Washington restaurant,⁶⁰ leading Rusk to utter his now-famous remark, "We're standing eyeball-to-eyeball, and I think the other fellow just blinked."⁶¹

⁵⁴ Francis Loewenheim, *Controversial? Dean Rusk Was, But We Still Owe Him a Great Deal*, HOUSTON POST, Dec. 27, 1994 at A27.

⁵⁵ A Loyal Servant, SACRAMENTO BEE, Dec. 27, 1994, at B6.

⁵⁶ *Obituary*, *supra* note 1, at 17.

⁵⁷ *Id.*

⁵⁸ Loewenheim, *supra* note 54, at A27.

⁵⁹ Michael Pye, *Dean Rusk*, SCOTSMAN, Dec. 22, 1994, at 12.

⁶⁰ Bennett, *supra* note 9, at A8. In October 1962, ABC newsperson John Scali met and negotiated with KGB Officer Alexander Fomin at a Washington, D.C. restaurant. *Id.*

⁶¹ *Id.*

COLD WAR

In August 1963, Rusk went to Moscow to sign a limited test ban treaty on behalf of the United States,⁶² which banned the testing of nuclear weapons in the atmosphere, space and under water.⁶³ Following the limited test ban treaty, Rusk's negotiations with Soviet Foreign Minister Andrei Gromyko and Soviet Ambassador Anatoly Dobrynin contributed to the future negotiation of the Outer Space Treaty and the Non-Proliferation Treaty (NPT).⁶⁴

The NPT led to later negotiations and treaties which were necessary to further the goals of NPT. These include SALT I & II,⁶⁵ and START II.⁶⁶ These treaties laid the groundwork for relations which have culminated in the development of nuclear-free zones.⁶⁷

THE JOHNSON YEARS

Dean Rusk wrote newly sworn-in President Lyndon Johnson a letter of resignation four days after the assassination of President Kennedy. Johnson refused to accept it, stating that he wanted Rusk "to remain secretary of state

⁶² Bennett, *supra* note 9.

⁶³ *Obituary*, *supra* note 1.

⁶⁴ The NPT was originally signed by the first three nuclear powers (U.S., Soviet Union, Britain) and 59 non-nuclear countries. Non-nuclear countries promised not to develop nuclear weapons if the nuclear powers would help them with peaceful nuclear energy programs. The nuclear powers agreed to negotiate to reduce their nuclear arsenals. ARMS CONTROL ASS'N, ARMS CONTROLS AND NATIONAL SECURITY, AN INTRODUCTION 25 (1989). The NPT now allows two additional nations to have nuclear weapons, adding France and China (Russia now stands in place of the Soviet Union). GEORGE BUNN, EXTENDING THE NON-PROLIFERATION TREATY: LEGAL QUESTIONS FACED BY THE PARTIES IN 1995 1 (Am. Soc. Int'l L., Issue Papers on World Conferences No. 2, 1994).

⁶⁵ The Strategic Arms Limitation Talks I, held from 1969 to 1972, capped the number of missile launchers but did not include warheads or other weapon technology. SALT II, held from 1972 to 1979, limited the number of Multiple Independently targetable Reentry Vehicles (MRVs, small warheads located inside a larger missile) allowed on each missile, as well as the number of MIRV missiles. ARMS CONTROL, *supra* note 64, at 28-29.

⁶⁶ The Strategic Arms Reduction Talks (START) began in 1982 between U.S.S.R. and United States and set out to commit both sides to phased reductions of strategic ballistic missiles. *Id.* at 11, 60.

⁶⁷ The 1968 Treaty for the Prohibition of Nuclear Weapons in Latin America and the 1985 South Pacific Nuclear-Free Zone Treaty are two examples. *Id.* at 123.

as long as I am president.”⁶⁸ While Rusk agreed to maintain his position, his position changed considerably in the Johnson years, with a noticeable shift toward race relations, immigration and Apartheid issues.

While with the State Department, Rusk discovered that ambassadors and UN delegates from African countries were being cut off from simple amenities such as haircuts, and were unable to eat in many restaurants with their white counterparts. Rusk assigned two people in the State Department to take specific complaints and to meet with local realtors and restaurants (among others) to deal with the serious problem of racism in Washington. American failures domestically were widely noted abroad. Rusk testified in support of the Civil Rights Act of 1964 that “because the white race is a minority in the world, . . . we must come to terms with the colored races if we . . . are to live at peace with other nations.”⁶⁹ He also testified that he supported many of the demonstrations: “[I]f I were denied what our Negro citizens are denied, I would demonstrate.”⁷⁰

Rusk also set out to make major changes in U.S. immigration policy. Rusk wanted to end the national-origin system, which established country quotas.⁷¹ He also wanted to admit immigrants from countries newly independent (from colonial rule) on the same basis as other immigrants from independent nations.⁷² United States immigration policy still reflects Rusk’s goals for racial tolerance. The current system resulted from Rusk’s changes and incorporates a quota system, but one that is identical for every nation.⁷³

Rusk also battled racism through his opposition to apartheid. Rusk believed that it is “proper for us to use our influence—quietly—to improve human rights in other countries.”⁷⁴ However, he had reservations about linking human rights to world economy. He felt that given the numerous nations with questionable human rights standards, linking human rights

⁶⁸ RUSK, *supra* note 5, at 327.

⁶⁹ *Id.* at 587.

⁷⁰ *Id.*

⁷¹ The national-origin system came from the Immigration and Nationality Act passed in 1952 over Harry Truman’s veto. 8 U.S.C. § 1101 et seq. (1952). President Truman vetoed the law because of its discriminatory effect. Telephone Interview with Bruce Larson, UGA Adjunct Professor (Feb. 20, 1995).

⁷² RUSK, *supra* note 5, at 589.

⁷³ Each nation is limited to about 26,000 immigrants to the U.S. each year. Larson, *supra* note 71. See also, 8 U.S.C. § 1151 (1970 & Supp. 1994).

⁷⁴ RUSK, *supra* note 5, at 591.

standards to international economic policy would lead to isolation for the United States. Rusk said that, "American policy should focus on results, not actions that make us feel warmer inside because we have struck a rhetorical blow for freedom . . . we can never afford to be sanctimonious."⁷⁵

The United States government imposed economic sanctions on South Africa in 1986.⁷⁶ However, countries all over the world were using economic sanctions to pressure South Africa into ending apartheid.⁷⁷ This form of public confrontation became a major tool, but not solely used by the United States. Although Rusk advocated quiet pressure imposed behind the scenes, the situation in Africa in the 1960s had not incited world-wide opposition as it did in the 1980s.

Rusk's opposition to racism climaxed in a much celebrated event: the marriage of his daughter Peggy to Guy Smith, a young African-American Army officer.⁷⁸ *Time* magazine ran a picture of the wedding on its cover, and Rusk consulted President Johnson to see if it would compromise Rusk's relationship with any members of Congress. Rusk fully supported the marriage, but out of loyalty to the President, was willing to offer his resignation if the event caused significant embarrassment to the administration.⁷⁹

THE VIETNAM WAR

As President Johnson came to rely heavily on him for advice, Rusk decided the conflict brewing in Vietnam required a U.S. commitment and that to walk away from it would endanger world peace.⁸⁰ An absolute

⁷⁵ *Id.* at 592.

⁷⁶ Congress passed the bill over President Reagan's veto prohibiting any new U.S. investment in South Africa and added a list of products (uranium, coal, textiles and agricultural products) to those already embargoed. Dana Walker, *Washington News*, UPI, Oct. 2, 1986, available in LEXIS, News Library, ARCNWS File.

⁷⁷ The European Community had imposed embargoes on oil sales, as well as sports, cultural, and scientific exchanges. *European Community Lifts Bans on South Africa*, CHI. TRIB., Apr. 7, 1992, at 3. Among others, Japan and African countries imposed sanctions. *Japan Business Urges South Africans to Vote Yes*, REUTER LIB. REP., Mar. 13, 1992, available in LEXIS, NEWS library, ARCNWS file; Walker, *supra* note 76.

⁷⁸ Holbrooke, *supra* note 4, at F5.

⁷⁹ *Id.*

⁸⁰ *Ex-Secretary of State Dean Rusk*, PLAIN DEALER, Dec. 24, 1994 at 6B [hereinafter *Ex-Secretary*].

believer in the domino theory—which held that the loss of one country to Communism would entail similar surrenders in other states—Rusk saw the war as a moral crusade.⁸¹

As America's commitment in Vietnam escalated, Rusk became an increasingly controversial figure for his advocacy of unyielding military pressure on North Vietnam.⁸² His firm, almost stoic loyalty to the policies of Johnson during the escalation of the war made him one of the main targets of anti-war rancor.⁸³ As the war went on, opposition to the stepped-up American involvement grew more intense in the United States.⁸⁴ The war became "Rusk's war," and peaceniks and doves targeted him.⁸⁵

Rusk later called his inability to end the war during his tenure as Secretary of State his deepest disappointment, but he never renounced his role in the Vietnam war.⁸⁶ "I won't draw away from my share of responsibility in the decisions," he said, "because I agreed with them at the time."⁸⁷ However, he also acknowledged to friends and then to the public that he had "underestimated the tenacity of the North Vietnamese, and overestimated the patience of the American people."⁸⁸

III. DEAN RUSK AS EDUCATOR:

"AFTER SOME INTERRUPTIONS, I HAVE FINALLY MADE IT"

Dean Rusk's departure from the State Department was tainted due to his unpopular handling of the Vietnam crisis. Rusk did not receive outstanding job offers usually reserved for former Secretaries of State.⁸⁹ When Johns Hopkins University School of International Studies quietly gave him the use

⁸¹ *Obituary*, *supra* note 1, at 17.

⁸² *TIME*, Jan. 9, 1995, at Milestones, 19 [hereinafter *TIME*].

⁸³ *Death of an Honored Statesman*, ATLANTA CONST., Dec. 23, 1994, at A14 [hereinafter *Honored Statesman*].

⁸⁴ *Pace*, *supra* note 23, at A1.

⁸⁵ *Bennett*, *supra* note 9, at A8. Upon Rusk's visit to Cornell University, he was greeted by demonstrators wearing death-skull masks.

⁸⁶ *Honored Statesman*, *supra* note 83, at A14.

⁸⁷ *Pye*, *supra* note 59, at 12.

⁸⁸ *Holbrooke*, *supra* note 4, at F5.

⁸⁹ *Dean Rusk*, COMMERCIAL APPEAL, Dec. 23, 1994, at 6A [hereinafter *Commercial Appeal*].

of a small office,⁹⁰ the students threatened to burn down buildings on the campus.⁹¹ Rusk's friends subsequently tried to win him a permanent appointment to the faculty at the University of North Carolina, but the administration feared trouble with radical students and turned him down.⁹²

It would take Rusk a full year to find another job—teaching international law at the University of Georgia (UGA), 45 miles south of his native Cherokee County⁹³—a position he would hold until his retirement in 1984.⁹⁴ The University of Georgia, where he had once been offered the chancellorship, had quietly courted him during this period.⁹⁵ He told University of Georgia officials that he would respond favorably to a faculty appointment, the chance “to pull up stakes in Washington and go home.”⁹⁶

However, when discussions of giving Rusk a position on the University of Georgia law faculty were initiated, protests erupted, although this time from the conservative side.⁹⁷ Georgia's governor, Lester Maddox, was a staunch opponent of civil rights⁹⁸ and an isolationist. Maddox declared that Rusk's appointment would “further the objectives of the international communist conspiracy,”⁹⁹ an ironic comment in light of the popular views in the North that Rusk was too conservative, a phobic crusader against communism.¹⁰⁰

Although Rusk had never received a law degree from the University of California at Berkeley, the law faculty of the University of Georgia voted

⁹⁰ The office was located in a building for which he had funded construction as president of the Rockefeller Foundation. THOMAS SCHOENBAUM, *WAGING PEACE AND WAR* 494 (1988).

⁹¹ Pye, *supra* note 59, at 12.

⁹² SCHOENBAUM, *supra* note 89, at 494.

⁹³ *Backed Vietnam*, *supra* note 39, at 1A.

⁹⁴ *No Apologies*, PEOPLE, Jan. 9, 1995, at 80.

⁹⁵ SCHOENBAUM, *supra* note 89, at 494. Late in 1968 Dean Lindsey Cowen of the University of Georgia School of Law approached Rusk about joining the faculty as a professor of international law. RUSK, *supra* note 5, at 596.

⁹⁶ SCHOENBAUM, *supra* note 89, at 494.

⁹⁷ *Dean Rusk*, *supra* note 1.

⁹⁸ *Id.* Prior to being elected Governor of Georgia, Maddox drove blacks out of his restaurant with an axe handle. RUSK, *supra* note 5, at 596.

⁹⁹ SCHOENBAUM, *supra* note 89, at 494.

¹⁰⁰ RUSK, *supra* note 5, at 596.

unanimously to offer him a contract.¹⁰¹ However, the faculty's decision to hire Rusk was highly controversial and divided the University System Board of Regents.¹⁰² Four of the 13 regents voted against hiring Rusk, with one—Roy Harris, a high-ranking officer of the White Citizens Councils of America—basing his opposition on the marriage of Rusk's daughter to a black man.¹⁰³

Finally, amidst the protests, Rusk returned to teaching after a "thirty year detour" and was subsequently named the Samuel H. Sibley Professor of International Law at the University of Georgia. Indeed, Rusk was one of the most qualified people in America to teach international law. He had practiced and developed more international law under three administrations than perhaps any other person this century.

Eventually, Dean Rusk found a kind of peace in Athens,¹⁰⁴ welcoming a return to his roots, but he remained a private man.¹⁰⁵ "The only thing in Washington I miss are my friends," he would say later. When people addressed him as "Mr. Secretary," he waved them off, saying it made him feel as if he were out on parole.¹⁰⁶ Soon, the controversy that had surrounded him while Johnson was still in office subsided.¹⁰⁷ Rusk became

¹⁰¹ "It was our good fortune that we were able to get him," said Verner Chaffin. "It was one of the best things that we've ever been able to accomplish." Telephone Interview with Verner F. Chaffin, Callaway Professor Emeritus, University of Georgia School of Law (Feb. 14, 1995).

¹⁰² Tom Bennett, *Dean Rusk dies in Athens at 85*, ATLANTA CONST., Dec. 21, 1994, at A1 [hereinafter *Dean Rusk dies in Athens*]. During this controversy, then-UGA President Fred Davison called Rusk and told him that the great majority of Georgians wanted him and that he hoped that the Harris flap would not affect his decision to come. Rusk replied that he appreciated the President's call and confidence and that if the flap didn't bother Davison, it didn't bother Rusk. Rusk observed that he was not accustomed to either anonymity or unanimity. J. Ralph Beaird, Univ. of Ga. School of Law Dean & Faculty Emeritus, Remarks at Memorial Celebration for Dean Rusk (Feb. 6, 1995) (transcript on file with *Georgia Journal of International and Comparative Law*).

¹⁰³ Harris said that Dean Rusk didn't have to let the man court Rusk's daughter for ten years, and Rusk didn't have to march down the aisle and give her to him. *Dean Rusk dies in Athens*, *supra* note 102, at A1. Shortly thereafter one of Roy Harris' friends introduced a bill in the state legislature to reduce the appropriation to the University of Georgia by the amount of Rusk's salary—a measure which failed 113 to 12. RUSK, *supra* note 5, at 604.

¹⁰⁴ Bennett, *supra* note 9, at A8.

¹⁰⁵ *The Week in Review*, CNN Television Broadcast, Dec. 25, 1994 (Transcript #141 at CNN) [hereinafter *Week in Review*].

¹⁰⁶ SCHOENBAUM, *supra* note 89, at 495.

¹⁰⁷ *Dean Rusk, 1909-1994*, PHOENIX GAZETTE, Dec. 23, 1994, at B6.

a landmark at the University, and the academic reputation of the University was enhanced dramatically through his efforts.¹⁰⁸ Many higher-caliber faculty and students were attracted to the University because of his presence on the faculty.¹⁰⁹ Law professors Louis Sohn,¹¹⁰ Tom Schoenbaum, Martin Hillenbrand, Gabriel Wilner, and Rick Huszagh, to name a few, came to the University of Georgia largely because of Dean Rusk.¹¹¹ Richard Wellman illustrated, "In making the decision to come down here, I knew [the University of Georgia] was a much smaller, weaker school in 1973 than the University of Michigan. In the process of this, Dean Rusk at this school gave promise that this school was on the way up and you could just bet on his influence and his leadership here and that the draw he had for students and others were going to pay off down the road . . . He was just a tower of strength, reason enough for many of us to take a chance."¹¹²

As faculty advisor to the *Georgia Journal of International and Compara-*

¹⁰⁸ Former Governor Carl Sanders stated, "Although he was brilliant, he still retained that common touch that is so evident in people who are born and raised in the North Georgia mountains. He has been a great asset to the University of Georgia. He's given our law school an international stature and recognition we never would have had otherwise." Bennett, *supra* note 10.

¹⁰⁹ "For me it was very important that he was coming here," former law student Don Johnson recalled. "I wanted to concentrate on international law to the extent possible and when I saw that he was coming there, it helped me to decide to stay at the University." Telephone Interview with C. Donald Johnson, former Congressman, J.D. 1973, Univ. of Ga. (Feb. 10, 1995) (transcript on file with *Georgia Journal of International and Comparative Law*).

¹¹⁰ Rusk telephoned Professor Louis Sohn, a noted diplomat and scholar, to tell him about the Woodruff chair and invite him to the faculty. "To the great surprise of my colleagues at Harvard, I accepted [Rusk's] invitation and went to Georgia." Sohn left his professorship at Harvard and held the Woodruff chair from 1981-1991 at the University of Georgia. He often taught classes with Dean Rusk in a "kind of dialogue" where one would begin with an international topic of discussion and then the other would comment in a rebuttal. Students would then debate the issue with the two professors, both of whom had extensive involvement with the United Nations. Telephone Interview with Louis Sohn, Woodruff Professor Emeritus (Feb. 9, 1995) (transcript on file with the *Georgia Journal of International and Comparative Law*).

¹¹¹ Edward D. Spurgeon, University of Georgia School of Law Dean & Professor of Law, Remarks at the Memorial Celebration of Professor Dean Rusk (Feb. 6, 1995) (transcript on file with the *Georgia Journal of International and Comparative Law*).

¹¹² Telephone Interview with Richard V. Wellman, Alston Professor Emeritus, UGA School of Law (Feb. 13, 1995) (transcript on file with the *Georgia Journal of International and Comparative Law*).

tive Law, Rusk took a hands off approach to the actual publishing in order to allow the students to generate their own innovations. He provided "a sounding board for ideas" to the staff, but he did not impose his ideas on them. Whenever the *Journal* or international law society put on a social event, he always attended. After the event, he would often go with the students for a drink. To his students, he was much more than an instructor; he was a companion who took genuine interest in their lives.

Dean Rusk taught an introductory course in international law and conducted seminars for third-year students on law and diplomacy, constitutional law and foreign affairs.¹¹³ Although some students were initially intimidated by Rusk's reputation and accomplishments, he quickly eased their worries. When one student had to leave in the middle of one of Rusk's lectures, Rusk said, "Don't worry; I've been walked out on by Gromyko and Krushchev . . . you're not going to hurt my feelings by walking out on me."¹¹⁴ He was soon among the most popular professors at the law school, averaging 170 students in his basic course in Public International Law.¹¹⁵

An eloquent and inspirational teacher, Rusk kept the students in his classes attentive.¹¹⁶ Students debated with Rusk whether international law was a viable system of law.¹¹⁷ He argued passionately that international law is a living force in relations between nations,¹¹⁸ and encourage students to explore the strengths and weaknesses of that system.¹¹⁹ He eschewed text books, basing his courses on his own experiences.¹²⁰ His approach was personable, talking "with the students, rather than talking to them,"¹²¹ and

¹¹³ Kathy R. Pharr, *Dean Rusk Memorial Service Scheduled Monday at U.Ga.*, ATHENS BANNER-HERALD, Feb. 4, 1995.

¹¹⁴ Telephone Interview with Jack Schroder, J.D. 1973, University of Georgia (Feb. 14, 1995).

¹¹⁵ Remarks of Ralph Beard, *supra* note 102.

¹¹⁶ "He kept everybody completely engaged," Don Johnson said. "He brought in a perspective of not only a strictly legal background but a legal background with political reality mixed in it." Telephone Interview with Don Johnson, *supra* note 109.

¹¹⁷ Terry Smith Labat, J.D. 1976, Remarks at the Memorial Celebration for Dean Rusk (Feb. 6, 1995) (transcript on file with *Georgia Journal of International and Comparative Law*).

¹¹⁸ Rusk, *supra* note 5, at 598.

¹¹⁹ Remarks of Terry Labat, *supra* note 117.

¹²⁰ Remarks of Ralph Beard, *supra* note 102.

¹²¹ Letter from William A. Aileo, Editor-in-Chief 1973-74, *Georgia Journal of International and Comparative Law*, Vol. 5, to author (Feb. 9, 1995) (on file with the *Georgia Journal of International and Comparative Law*).

he often told personal stories that brought lessons of the discussion into a practical sphere for the students.

Occasional discussions inevitably turned on questions regarding relevant confidential information. Several stories which he had never revealed in public were confided in Rusk's students, many of which were never repeated until after his death, after the passage of time had desensitized the subject matter. John Kindt, a former Editor-in-Chief of the *Journal*, said, "The fact that he could be teaching 150 students and none of those stories got out to the national press, even at the height of student discord, speaks well. That says something about the respect and esteem in which he was held."¹²²

These discussions about international incidents gave the students a new perspective on international relations. Many lectures divulged the inner circle decisions of the cabinet during Cold War activities. When such conversations arose, Rusk would initially inquire, "Are there any members of the press in the audience?"¹²³

At the beginning of one class, Rusk walked in and said, "Just put your pencils down; I don't want you to take any notes. I just want you to listen." He then proceeded for that entire lecture to talk about the Cuban Missile Crisis, how it occurred, and what some of the blow-by-blow developments were from the beginning.¹²⁴

During a class in 1974, a student persisted in inquiring whether Israel had nuclear capability. Although the information was not known at the time to the general public, Rusk dryly responded, "If Israel doesn't have the bomb, then she's about nine months pregnant."¹²⁵ There was always a low key,

¹²² Telephone Interview with John Kindt, Editor-in-Chief 1975-76, *Georgia Journal of International and Comparative Law*, Vol. 7 (Feb. 14, 1995).

¹²³ Rusk explained, "Decent reporters would always identify themselves because they understood that it might change the way that you presented things." Telephone Interview with Phillip Leslie Wharton, Editor-in-Chief 1978-79, *Georgia Journal of International and Comparative Law*, Vol. 11 (Feb. 10, 1995).

¹²⁴ "He was talking about the telegrams being sent back and forth to the Kremlin and they were sitting there trying to interpret them," recalled John Allgood. "When they got conflicting telegrams, they decided to respond to the one that was more positive. I believe that was Bobby Kennedy's suggestion, and that was the right decision, rather than [responding to] the more negative telegram that they received." Telephone Interview with John Allgood, J.D. 1973, University of Georgia (Feb. 10, 1995).

¹²⁵ Telephone Interview with Anonymous Student (Feb. 14, 1995).

subdued and subtle sense of humor that was pervasive in his remarks.¹²⁶

Although there was an unwritten rule—"a gentleman's agreement" that students should not ask Rusk about the Vietnam war out of respect for him,¹²⁷ he was more than willing to talk about whatever subject the students were interested in—including Vietnam. In some classes, students would begin a question with, "I don't want to embarrass you, but I want to ask you this question." Rusk usually put the student at ease by responding, "Go ahead. I've been cross-examined by experts," making an apparent reference to his previous testimonies before the Senate Foreign Relations Committee.¹²⁸

Dean Rusk spent most of his efforts on teaching his students and openly expressed his distaste for academic trade journal publishing.¹²⁹ "Dean took a dim view of what he called the research treadmill in American Universities," explained Dean Beard. "He observed that if he had been forced to publish as a faculty member he would have perished."¹³⁰ When a law dean circulated a study of law faculty publishing, ranking Georgia twenty-fourth among 109 law schools surveyed on total pages published and the number of footnotes crediting articles, Rusk responded with a one-page reply: "Dear Dean . . . I can't imagine a more sterile enterprise . . . I grieve over the number of trees we cut down to make such publications possible."¹³¹ Unlike most law professors, publishing academic articles would not become a common practice for him.

Some of Rusk's students had participated in the Vietnam war, and he made a practice of speaking with these veterans for long periods in his office. He relayed experiences from an administrative point of view as the

¹²⁶ Telephone Interview with Don Wetherington, J.D. 1972, University of Georgia (Feb. 15, 1995).

¹²⁷ Telephone Interview with Anonymous Student, *supra* note 125.

¹²⁸ Telephone Interview with John Allgood, *supra* note 124.

¹²⁹ Russ Bynum, *Rusk Faced Opposition As a Professor*, RED & BLACK [newspaper published in Athens, Georgia], Jan. 9, 1995.

¹³⁰ Remarks of Ralph Beard, *supra* note 102.

¹³¹ Rusk, *supra* note 5, at 598. Rusk felt that time should not be spent on research projects that flog the obvious. An example, he said, was a thesis on "Why Young Children Fall Off Bicycles," which concluded after two years that children fall off bicycles because they lose their balance. Remarks of Ralph Beard, *supra* note 102.

students recalled their feelings from "the other end of the pipeline."¹³² Those discussions brought about a healing for many soldiers and for Rusk, helping to mend emotional wounds of the past.

In addition to gaining acceptance by his students, Dean Rusk became a revered fixture among the faculty at the law school. He insisted on being treated equally with other faculty members¹³³ and wanted to be reassured that he was not appointed by the President of the University, but that he was chosen by the faculty.¹³⁴ At faculty meetings, Rusk never dominated conversations, but when he spoke, others listened with great respect.

THE DEAN RUSK CENTER FOR INTERNATIONAL AND COMPARATIVE LAW

In 1977, the University of Georgia School of Law established the Dean Rusk Center for International and Comparative Law "to coordinate research, teaching and public service efforts in the field of international law."¹³⁵ Professor Robert Leavell, chairman of the Rusk Center committee, had originally proposed the idea of establishing the Center, but Rusk was hesitant unless it was thought to originate with other members of the faculty.¹³⁶ He was unwilling to be directly involved in fundraising and did not like it when

¹³² John Allgood, a former student and Vietnam veteran, described his first encounter with Rusk about Vietnam as "very cathartic—to come face to face with him and have a chance to really talk about my feelings and my reactions to the situation so close in time." Allgood said of Rusk's role, "He was the lightning rod for the anti-war movement. I think he perceived that as his role, but privately, he was not always in sympathy with some of the administration policy." Telephone Interview with John Allgood, *supra* note 124.

¹³³ Telephone Interview with Verner F. Chaffin, Callaway Professor Emeritus, UGA School of Law (Feb. 14, 1995). "He strove very hard to be nothing more than just an unassuming member of the faculty, to make his contributions just as any other member would," recalled Professor Perry Sentell. Telephone Interview with R. Perry Sentell, Jr., Carter Professor of Law, University of Georgia School of Law (Feb. 14, 1995).

¹³⁴ Telephone Interview with Robert N. Leavell, University of Georgia Alumni Association Professor of Law Emeritus (Feb. 14, 1995).

¹³⁵ Pharr, *supra* note 113. In the Fall semester of 1996, the Dean Rusk Center for International and Comparative Law will move into its new home in Dean Rusk Hall, which is currently under construction on the North Campus of the University of Georgia. Remarks of Ned Spurgeon, *supra* note 111. The formal dedication will be held September 21, 1996. Telephone Interview with Kathy Pharr (June 13, 1996).

¹³⁶ Telephone interview with Robert Leavell, *supra* note 134.

his colleagues were asked to participate either.¹³⁷ Nevertheless, friends and former colleagues gladly contributed to the building of the Center.

Through the Center, Rusk brought speakers like Arthur Goldberg, Robert McNamara, Earl Warren, Henry Kissinger, Lady Bird Johnson, Edward Kennedy, and Jimmy Carter to speak on campus. He also was instrumental in the establishment of the University's Center for Global Studies and the Center for East-West Trade Policy.¹³⁸

Although rumors had persisted for ten to fifteen years that Rusk would be retiring, he remained on the faculty for years beyond anyone's expectations.¹³⁹ He retired in 1984, but remained involved in the operations of the law school until 1992. In September of 1986, Rusk received a letter from Jesse Choper, Dean of the UC Berkeley Boalt Hall School of Law, stating that Rusk would be on the December 1986 graduation list for a juris doctor degree, forty-six years after he had left law school.¹⁴⁰ During the spring of 1987, Rusk sent a memorandum to members of the law faculty who had voted on his initial appointment, stating, "you have finally been made into honest men about my appointment."¹⁴¹ On the recommendation of Dean Ron Ellington,¹⁴² the Georgia Supreme Court made Rusk an inactive member of the State Bar of Georgia without examination in the spring of 1989, a first for the Court.¹⁴³

¹³⁷ Leavell commented, "This was a reflection on the kind of manners he had. He was not willing to be a party to anything that might create an awkwardness on the part of anyone." *Id.*

¹³⁸ Pharr, *supra* note 113.

¹³⁹ Telephone Interview with Paul Kurtz, Associate Dean and J. Alton Hosch Professor of Law, UGA School of Law (Feb. 14, 1995) (transcript on file with the *Georgia Journal of International and Comparative Law*).

¹⁴⁰ Remarks of Ralph Beaird, *supra* note 102.

¹⁴¹ Memorandum from Dean Rusk to the Remaining Faculty of the University of Georgia School of Law from 1970 (June 8, 1987) (on file with the *Georgia Journal of International and Comparative Law*).

¹⁴² "Mr. Dean Rusk has demonstrated," Ellington wrote to Georgia Supreme Court Chief Justice Thomas O. Marshall, "that he possesses all the qualifications necessary for the Court to find him worthy of membership in our Bar In light of the unique attainments of Mr. Rusk, it is fitting and appropriate that he be admitted to the State Bar of Georgia." The Court swiftly agreed. *Dean Rusk Sworn In To Georgia Bar*, GEORGIA ADVOC., Spring 1989, at 12-13.

¹⁴³ Remarks of Ralph Beaird, *supra* note 102. In a thank you letter to Ellington, Rusk said, "There is only one other incident in my life which compares to this. In 1965 I was privileged to go to Runnymede, the Field of Magna Carta, to receive from Her Majesty the Queen an acre of ground as a gift to the American people in memory of John F. Kennedy.

Although none of his former jobs had made him wealthy, Dean Rusk made numerous philanthropic contributions. In 1972, an international program was formed allowing promising law students to study abroad during their summers.¹⁴⁴ The Dean and Virginia Rusk Fund was established in part to provide fellowships for financially strapped law students wishing to study international law abroad.¹⁴⁵

When Richard Holbrooke, a former war-critic, current Assistant Secretary of State for European and Canadian Affairs, and friend of Dean Rusk's son, Richard, visited Rusk at his office on the University of Georgia campus shortly before his death, they "talked about Vietnam with a new gentleness born of time and the healing process."¹⁴⁶ Holbrooke wrote of the visit, "As I left I noticed that it was a beautiful spring day and the campus was filled with students born after the Tet offensive and oblivious to the fact that one of the most controversial figures of the 1960s was sitting alone in his office a few yards away."¹⁴⁷ Fortunately, nearing the time of his death, Rusk was able to see the relationship between Vietnam and the U.S. change to where there would be diplomatic relations both in terms of trade and in terms of growth of Vietnam as a country.¹⁴⁸

Dean Rusk suffered from diabetes, near-blindness and a heart condition that eventually ended his life at age 85.¹⁴⁹ His funeral was held at First Presbyterian Church in Athens, with burial at Oconee Hills Cemetery.¹⁵⁰ At the simple graveside ceremony, the honor guard fired in salute and a lone trumpeter played taps. Stonewall Moses, a marine who had been seriously

I have always cherished the thought that each one of us owns a little piece of Runnymede." Letter from Dean Rusk to C. Ronald Ellington, J. Alton Hosch Professor of Law, University of Georgia School of Law (Apr. 24, 1989) (on file with the *Georgia Journal of International and Comparative Law*).

¹⁴⁴ Telephone Interview with Don Johnson, *supra* note 109.

¹⁴⁵ Remarks of Ned Spurgeon, *supra* note 111.

¹⁴⁶ Holbrooke, *supra* note 4, at F5.

¹⁴⁷ *Id.*

¹⁴⁸ Telephone Interview with Stonewall Moses, Vietnam veteran (Feb. 9, 1995).

¹⁴⁹ *Honored Statesman*, *supra* note 83, at A14.

¹⁵⁰ *Dean Rusk dies in Athens*, *supra* note 102, at A1. Rusk closely followed Georgia sports, attending all but one home football game in the fall before his death. According to his memoirs, he chose his burial site at Oconee Hill Cemetery, behind Sanford Stadium, "where I can hear the roar of the crowd," so he wouldn't miss another game. Bynum, *supra* note 129.

wounded in Vietnam, presented his Vietnam Service Medal¹⁵¹ to Rusk on behalf of all the veterans who had contacted him from the individual units.¹⁵²

Dean Rusk's 15-line Who's Who biography modestly records him as an "educator," with only an afterthought that he was "former secretary of state." "Educator" is how Dean Rusk would begin his career at Mills College in California and "educator" is how he would finish as a retired University of Georgia professor.¹⁵³

Dean Rusk assisted others as a modest servant, and those at the University of Georgia will remember him for his considerate care. He gave all that he had to the University and his students, expecting no rewards in return. For those who knew him, he will be missed at every turn.¹⁵⁴ His calm invitation to friendship and gentle manner stood in deep contrast to the abhorrence that many Americans had shown him while in public office. He refused to subscribe to the upheaving sensations of hatred, instead promoting peace and harmony until his final hour. Rusk was best remembered by his colleagues at the University of Georgia as a larger-than-life public servant and a private man of modest means. "The biblical vocation to self-giving—non-heroic self-giving—characterized Mr. Rusk's work here in Athens, where, for years among us, he lived with unassuming dignity the active, gentle life of a

¹⁵¹ Stonewall Moses, a friend of Richard Rusk, had met Dean Rusk about two years before his death and had talked intensely with Rusk about experiences in Vietnam. "We found out that after all his involvement with Vietnam, [Rusk] had never received a Vietnam service medal," Moses explained. "That was almost unbelievable to me." Telephone Interview with Stonewall Moses, *supra* note 148.

¹⁵² The Vietnam service medal was presented on behalf of the United States Marine Corps 1st Battalion, 9th Marines, 1st Marine Division; 2nd Battalion, 7th Marines, 1st Marine Division; 3rd Battalion, 5th Marines, 1st Marine Division; and 3rd Battalion, 1st Marines, 1st Marine Division, all of which experienced heavy casualties in Vietnam. The 1st Battalion, 9th Marines, 1st Marine Division had to disband a few years ago because of the extent of its casualties. These were the initial units that went to Vietnam under the Rusk administration. Moses explained, "From the people of our time period there, we had a tremendous amount of respect for Dean. For us, he was a positive light and probably kept a lot of people alive over there. I know that sounds ironic, but through the type of support that he had, we had the support that we needed to maintain a life in our areas." *Id.*

¹⁵³ *Id.*

¹⁵⁴ Telephone Interview with Robert Leavell, *supra* note 134.

teacher and friend," Milner Ball recounted.¹⁵⁵ "And we could not but love him in return."¹⁵⁶

¹⁵⁵ Milner S. Ball, Caldwell Professor of Constitutional Law, UGA School of Law, Remarks at Dean Rusk's funeral at First Presbyterian Church of Athens (Dec. 23, 1994) (transcript on file with *Georgia Journal of International and Comparative Law*).

¹⁵⁶ *Id.*