Fordham International Law Journal

Volume 5, Issue 2

1981

Article 1

Remarks Delivered on the Occasion of the Fordham-Stein Dinner Award October 21, 1981

Warren Christopher*

*

Remarks Delivered on the Occasion of the Fordham-Stein Dinner Award October 21, 1981

Warren Christopher

Abstract

Mr. Christopher dicusses the three key external factors in the success that were achieved during the Carter Administration. They are people, process and a profession.

REMARKS DELIVERED ON THE OCCASION OF THE FORDHAM-STEIN AWARD DINNER OCTOBER 21, 1981

Warren Christopher*

Largely because of events that took place in the closing weeks and days, even hours and minutes, of the Carter Administration—indeed, to be candid about it, in the minutes after we had lost our legal status as public officials in that Administration—the past year has been one of more visibility and notoriety than had been my custom.

These have been unusual days and nights; and tonight, of course, is no exception.

I have found it useful throughout to keep in mind a phrase from Augustine: "The sufficiency of my merit is to know that my merit is not sufficient."

Rather than talk about the specifics of the Iran hostage crisis or some other adventure or misadventure in the State Department, it strikes me that it might be better to talk about what I regard as the key external factors—external to me—that were involved in whatever success we achieved. There are three principal ones. As it happens, they are nicely alliterative—people, process, and a profession.

By referring to people, I mean to convey that any diplomatic endeavor, especially one as complex as the negotiations to free our hostages from Iran, is in every sense a collective enterprise. Hundreds, perhaps thousands, of people were involved, nearly all of them laboring out of the spotlight. The Iran crisis drew on the talents and energies not only of lawyers but of career diplomats, politicians, economists, linguists, bankers and businessmen of all kinds, scholars of Islam, psychologists, security experts, physicians, secretaries, cryptologists, and people from dozens of other disciplines.

^{*} B.S., 1945, University of Southern California; L.L.B., 1949 Stanford University. Deputy Attorney General of the United States, 1967-1969. Deputy Secretary of State of the United States, 1977-1981. Mr. Christopher served as chief of the United States negotiating staff during the hostage crisis with Iran. Mr. Christopher is a partner with the law firm of O'Melveny & Myers in Washington, D.C.

These scores of people brought extraordinary talent, sensitivity and diligence to the task. Indeed, when I contemplate the difficult circumstances and sparse resources that are often the lot of our public servants, I marvel that we were—in this instance, I would say I was—so well served by such skilled and devoted people.

That is why, when I have been recognized for my role in the hostage negotiations, I have always felt that I was in the position of a delegate, being honored not for my individual part, but as a representative of all the other people who helped bring the Iran crisis to a happy conclusion.

The decisive role of public servants is also a reason why I worry about the way we, as a country, tend to neglect the growing needs of our diplomatic establishment. For example, we presently have diplomatic relations with 134 countries—53 more than we dealt with in 1960. Our foreign service has not grown accordingly. Indeed, it is roughly the same size as it was in 1960. And the same number of people must not only deal with 53 more countries, but with a much broader and tougher range of issues as well.

Thus, as we assess the wisdom of a given set of national budget priorities, we would do well to focus on the line between prudent economizing and mindless dereliction in the protection of our international interests.

While I favor increased funds for the Armed Forces, it should be said that the Department of Defense is not the only agency involved in protecting our national security. Every budget cut outside the Defense Department is not automatically a wise budget cut.

To take a very current example, the Administration proposes to reduce funds for the scholarship program for foreign students in the United States. So often these students become leaders abroad, and carry with them throughout their careers an enhanced understanding of the United States, its people and its problems. That is a program that should be increased, not cut.

It is time to stop short-changing our international programs and our diplomatic establishment. They are indispensable elements in protecting our national security.

The second external influence was a process, and by that I mean the process of diplomacy—of talking, and listening, and using various kinds of leverage—to resolve or avoid disputes.

I am an unabashed and unashamed advocate of this method, particularly in international affairs. Usually the process is not glam-

orous. It can severely tax the patience, especially of those who think our problems should have swift, simple, dramatic solutions.

But diplomacy has so many advantages over the alternatives. As opposed to doing nothing, diplomacy is a way to defuse differences that might otherwise grow into disruptions. In contrast to the impetuous employment of lethal force, it is much safer, cheaper, and infinitely more precise.

There are some prominent areas now in which our international interests could be better served if diplomacy were more diligently pursued. Let me mention just two:

Next month, the 10th month of the new Administration, representatives of the United States and the Soviet Union are at last scheduled to renew the long effort to limit nuclear arms. These talks, however, are to be focused on so-called "theater systems," which means only the weapons based in or targeted upon European countries. As yet there is still no plan to address the central strategic systems by which the United States and the Soviet Union threaten each other directly.

Meanwhile, the arsenals of both sides have continued to grow, not granting us more security, but instead assuring us higher costs and a more perilous future. I regret that so much precious time has been spent posturing, and so little has been done to get serious talks underway.

One of the costs of the delay is that we are facing a Sovietsupported peace offensive in Europe. The Administration's apparent disinterest in arms control has given the Soviets a stellar opportunity to split the NATO Alliance, by undermining the popular consensus upon which it depends.

The division between the industrial nations of the Northern Hemisphere and the developing countries in the Southern Hemisphere is another area in which authentic dialogue is needed and has been neglected. Beginning tomorrow in Cancun, Mexico, the leaders of 22 countries, including the United States, will begin a summit discussion on North/South issues. The follow up will be vital. It is critical that we demonstrate that we are interested in the developing countries not simply as pawns or prizes in the rivalry between East and West, not as the object of a patronizing or smug lecture, but as independent nations with a claim of their own to our attention and concern.

There are many international challenges on the horizon. However, our international record—and many of our other relation-

ships—will turn most of all on how we manage, or fail to manage, our relations with these two centers of influence, the Soviet Union and the nations of the developing world.

Along with people and a process—that of diplomacy—the third external factor that I have found important is a profession, the profession of the law. Specifically, I refer to the lessons learned in the practice of law and especially in the trial of cases. These lessons, of course, are familiar to everyone in this room, and I can therefore refer to them in a shorthand fashion.

The lesson of preparation is vital. There could have been no movement in Algiers in December and January if there had not been a team of diplomats and lawyers working in my back room since September, preparing our position, drafting alternative approaches, and documenting our case.

The lesson of persistence and stamina has a great deal of practical value. It was essential to keep pressing and probing until an approach acceptable to both sides could be found. When our profession urges us to walk to the center of problems, and then to examine them from every outside angle, it is an invaluable teacher for many other endeavors.

On the stamina point, perhaps I will simply say, somewhat ironically, that it is my observation after quite a lot of experience, that the one indispensable qualification for service at a high level in the government and for heading a trial team is stamina—which I confess may be much more a matter of genes than of genius.

Another useful lesson of our profession can be called "rolling with the punch." It suggests taking the other party's best shots on the shoulder, not on the jaw, to avoid a knockout and to permit yet another response. In the hostage negotiations, the Iranians at times took positions which were totally unacceptable and seemed to signal a backtracking from positions they had already taken. Rather than let the enterprise collapse, it was necessary to deflect the hard knocks, but also to show that we would stay in the ring.

And a final lesson of the law is the lesson of equanimity—the recognition that in a long and difficult matter, there will be ups and downs, good days and bad, and you just have to persevere.

In short, I am persuaded that my good fortune in having the opportunity to study law, to practice, and to try cases, helped us find our way through the problem with Iran. Certain habits of thinking, techniques of dispute resolution, and methods of expres-

sion—these were certainly not unique with me, but rather are almost second nature to most members of our profession.

From what I have said thus far, I think you can see that it was not the skill of a single negotiator—but mainly the impact of scores of other influences—that brought the hostage crisis to a satisfactory resolution.

Therefore, I am pleased and honored to accept the Fordham-Stein Award—

But only on behalf of people I will always appreciate and respect . . .

But only as an advocate of a process—that of diplomacy—to which I am deeply committed . . .

But only as a representative of a profession—that of the law—to which I shall always be grateful.

