ESSAY

ON THE THRESHOLD OF A NEW WORLD: COMMENCEMENT DAY, MAY 1996

James E. Goodby*

President Lee, Dean Moody, members of the faculty, members of the board of overseers, families and friends of the class of `96, honored graduating students:

"To every thing there is a season, and a time to every purpose under the heaven." This is a time to celebrate achievement, to honor the women and men who are taking their degrees today: they dared much, they worked hard, they overcame much. This is a day of triumph for them. This is a time for them to be proud of their accomplishments and for their families and friends to be proud of them and what they have done. "Land of hope and glory," the old poem said, and the words ring truer on a day like this than on any other. Today the generations come together to remember the past, yes, but more to look to the future, to a commencement of life anew. It is a time, too, for consecration to service for which this college is noted. Their education in the law has prepared the women and men who go forth from here today to bring help and justice to those in need, to cherish and to strengthen our democracy.

It is a day also to be grateful, not least for the knowledge that there is so much more to know: about the world and about ourselves; more questions than we have answers; more mysteries than certitudes; enough challenges to last several lifetimes. All my life I have remembered a professor who taught that a questioning mind is a

* Ambassador Goodby has been a U.S. State Department negotiator in the field of nuclear arms and European security. He has taught international relations at Carnegie Mellon, Georgetown, and Stanford Universities. Currently, he is the Payne Distinguished Lecturer on the Global Community and its challenges at Stanford.

mark of courage and honesty and humility, certainly not a mark of doubt or arrogance. I remember his story of a dispute, a century earlier, about what inscription should be carved above the main entrance to a new building for the department of philosophy. The faculty voted for "Man is the measure of all things." There were a lot of things wrong with that sentence then, and more today. Their hubris was quelled in short order by the university president who decreed that the inscription, still there today, should be "What is Man, that Thou art mindful of him?"

There is another truth, which this Commencement reminds us of again: we are born to be dreamers of dreams, to dare and to persevere, and to struggle in the face of great odds. And so, for decades, other thoughts have stuck in my mind. One is from President Kennedy's commencement speech at The American University, in Washington, in which he challenged the American people to take chances for peace. He said: "Our problems are man-made; therefore they can be solved by man." This connected in my mind with the closing words of his earlier inaugural speech: "knowing that here on earth God's work must truly be our own."

Negotiating with the Soviet Union, and now with the Russian Federation, on limiting, controlling, and dismantling nuclear weapons has been the red thread that has linked most of the diplomatic jobs I have held, the courses I have taught in universities, and much of the writing I have done as a private citizen. Hiroshima and Nagasaki shaped my whole professional life, from the nuclear test ban negotiations of the 1950s and `60s to our current efforts to dismantle, jointly with the Russians, the nuclear weapons legacy of the cold war. I've been lucky in having a cause, something I think of as "God's work." I hope each of you will find something like that. Even if your dream is not fully achievable, it will bring you the happiness that comes from "the exercise of vital powers along lines of excellence, in a life affording them scope," as the ancient Greeks believed.

Through all of my years in public service I worked with lawyers, most of them federal government attorneys. They were intelligent and effective but what most impressed me was their moral courage and their selflessness. They worked by ethical standards that were as high as any group of professionals I have ever met. They seldom sought the limelight or asked what was in it for themselves. And I know that whatever negotiating successes I have had would not have been possible without their talent and dedication.

You have one of the best examples of this right here on your campus. Professor Roy Gardner and I worked together on several negotiations in various parts of the former Soviet Union in 1993 and '94. He did a lot to shape cooperation with the republics that emerged from the collapse of the Soviet Union. Our own republic is indebted to him.

So I echo the opinion expressed yesterday by the Parliamentarian of the Senate. Whatever else you may have heard about Washington, in my experience, the legal profession there has served the American people honorably and with great distinction. Some of you may choose to work outside the legal profession. If so, let me tell you that many of my ablest colleagues in the Foreign Service were trained as lawyers. That training gave them a habit of thought that served them and the public very well.

But before we are diplomats or lawyers, we are members of families, members of communities, citizens of nations, and human beings whose fate is tied to other human beings. In each of these roles, you will always carry the law and its meaning for human relations with you. You will have a special advantage but also a special burden. Your sense of fairness and justice and mercy will be held to higher standards than most of us have to meet. At the end of the day, you are likely to be your own severest critic. You can do more than most to see that a proper balance is struck between the rights of individuals and the obligations of citizenship. Men and women who have the wonderful advantage of an education in the law, as always, will be in the front lines in the struggle for democracy. The battle never ends. Nor are challenges limited to domestic law.

It seems to me that we are just at the beginning of understanding the legal implications of sweeping changes that are challenging many of our assumptions about how the world works. One major discontinuity in world affairs is the end of the cold war and, with it, the end of well-understood rules of the road that prevailed for much of the last half-century. The bipolar order and the disciplines it imposed are no more. Not surprisingly, America's role in the world is no longer guided by a broad bipartisan consensus. I believe we are passing through one of the great turning points in history, and that the major task of our diplomacy should be to shape the outcome of this transition.

My participation in the creation of a nuclear restraint regime during the cold war years convinced me that meaningful rules of

behavior among nations are possible when enough is at stake for governments to take them seriously. The question today is whether we care enough about rules of behavior to take risks for them. Are rules still useful in these post-cold war times after the collapse of the Soviet Union has "deprived us of an enemy" as a Russian scholar put it? Our nation, with its traditions and values, should have a special interest in policies aimed at promoting the rule of law and we have to work closely with other countries to do this. Even if we choose to do nothing at all, our inaction will guide other nations in the years ahead. Let us think carefully about how we want that rulebook to be written. The return, not the end of history, the meltdown of the cold war order, especially in Eurasia, has heightened the conflict between principles that are good and valid in isolation, but that cannot all be served equally well in practice. As Bosnia teaches us, territorial integrity, sovereignty, and self-determination for minority groups are not simply abstract ideas, but rather the cutting edge of diplomacy today.

Most of the turning points of history have had unhappy endings. Maybe this one will be that way too. But now there are truly unique opportunities to tip the balance in favor of peace. For one thing, both Russia and the United States are actively trying to define a relationship of productive cooperation. If you think of other historic watersheds, you will recognize that this is something new in the long history of the world.

But the heady days of easy U.S.–Russian cooperation in the early 1990s are no more. Although Russia's integration into the global economy and international institutions is moving forward, significant differences have emerged. The presidential elections in Russia may be crucial in setting a direction for Moscow's policies toward the West, but only time will tell.

I'd like to tell you how much Russia and America could do together in the area I know best if Moscow continues to pursue a policy of cooperation with the West. President Reagan and the last Soviet President, Mikhail Gorbachev, took their two countries on the road to deep reductions in deployed nuclear delivery systems: missiles, bombers, and submarines.

But we can do even better than that now. The first step into the future was encouraged by Senator Sam Nunn and Senator Richard Lugar, who deserve great credit for their idea that the United States ought to help a Russia in chaos with the task of dismantling its nu-

clear arsenal. By providing targeted support in goods and services to the newly independent states of the former Soviet Union, Congress helped to ensure that strategic arms reductions would stay on schedule, that no new nuclear weapons states would emerge, and that Russia would steadily modernize its methods of protecting missile material from theft.

But, still, we can do more. The cold war's end left tens of thousands of nuclear bombs and warheads on each side. There are no legal obligations for either the United States or Russia to eliminate excess nuclear warheads. No strategic arms agreements prescribe what should be done with the thousands of warheads removed from deployed missiles and bombers. Should we care? I think so. Even in small numbers nuclear weapons can devastate our planet and our civilization.

President Clinton and President Yeltsin have agreed that the process of eliminating excess nuclear weapons should be irreversible. They have directed that procedures jointly and reciprocally be put in place that will confirm that excess warheads are being dismantled and that this fissile material will not be used to build new weapons. This has been difficult to do, but I believe that we are on the threshold of negotiations with Russia that will open a new era in arms control.

There is another historic discontinuity which may prove to be more startlingly revolutionary than the end of the cold war and less susceptible to management. This has been caused by a complex of interrelated developments that can be summed up by the phrase "technology and the rise of the global economy." This second discontinuity goes beyond a reordering of relationships among nation-states. It concerns what has rightly been called a "borderless world." The changes we are experiencing in this area are so profound that I think we have only begun to identify them and still do not understand their meaning.

There is a tension between the rising global economy and the old idea of the nation-state as the chief actor in international relations. There is a contrast between the powerful momentum of economic and environmental trends affecting the whole planet and the perceived inability of governments to deal with these trends. There is a sense that we are losing control of our destiny. Even the most powerful nation-states, working by themselves, are unable to shape the course of events at the global level. Mechanisms for cooperation among governments are not working well and, ironically, even these

feeble mechanisms are distrusted by some because they are seen as threats to national sovereignty.

If you have read recently-published proposals for dealing with these issues, you know how wildly disparate these ideas are. One is that national governments should learn to let go, to refrain from the temptation to interfere with the operation of the global marketplace. Interference on behalf of "nation-defined interests," according to this theory, will only result in that nation's exclusion from the global economy. Another idea is that the nation-state must indeed be an agent for its people in dealing with a global economy that can be as ruthlessly destructive as it can be wonderfully bountiful. Some argue that this must be done through protectionist policies. Others believe that the major nations should harmonize their economic and other policies to achieve common aims: higher economic growth rates, or less damages to our planet's ecology, or both, if possible. This somewhat academic debate already has found an echo in politics, and in this country, elections eventually will point to a consensus after a while. There is no consensus now, partly because issues like these are very different from those that previous generations faced.

You who are leaving the College of Law today will thread your way through an unknown terrain with not much help from the experience of recent generations. My own instinct tells me that there is really no alternative to the uncomfortable business of adapting to the new world. We could try to build walls around our country — physical ones or legal ones — but in the end the dynamics of technology and the global economy would tear them down. The global environment is no respecter of frontiers. The fate of the Soviet Union is a case in point. Its leaders ruined their environment, allowed a Chernobyl to happen, and tried to turn back the tide of the global economy until it became apparent to some of them that the Soviet empire was rapidly losing ground. Then when they sought an impossible compromise with reality, the whole edifice collapsed. There is no future in walls. There can be no retreat from a global information-based economy. There is no alternative to some form of intergovernmental cooperation to bring global challenges under control. Here, on earth, God's work must truly be our own.

You have your work cut out for you. The challenges of the cold war that my generation met were relatively clear-cut. The American people were amazingly constant in pursuing key foreign policy goals

for nearly half a century. Your challenges are no less serious and infinitely more complex. But I think that the American people are uneasy, sensing that new organizing principles are needed in a world that has been changing at a speed that makes my era look like a slow-motion film. The German scholar Max Weber offered a thought on an occasion something like this near the close of the nineteenth century. His thought resonates well today, near the close of the twentieth. I would paraphrase it this way: do not ever, even for a moment, think that you were born too late for a great political era. The challenge for you is to be the forerunners of a greater one. You can do that and I know that you will. Thank you very much.