

Dean Rusk Oral History Collection
Rusk TTTT: Part 2 of 2
Dean Rusk interviewed by Richard Rusk and Milner S. Ball
1985 September

The complete interview also includes Rusk SSSS: Part 1.

[The beginning of this interview is missing. The first 1/4 - 1/3 of Side 1 is actually a recording of the conclusion of the interview, because after Side 2 of the tape was filled, Richard turned the tape back over to Side 1 and accidentally began to record over what was already there. What remains recorded of the interview begins as follows:]

DEAN RUSK: When you're in top positions in the public service in Washington, you soon discover the distinction between men of honor and men of the other kind. And this is never written about, never spoken about very much, but it's there. It has a great deal to do with the way people deal with each other in our national capital. Now I had some very serious differences on civil rights, for example with Senator Richard [Brevard] Russell [Jr.]. But he was a man of honor. He was a man of political honor. He would tell you what he thought about something and you knew that if he was supporting you he would do so until the House burned down. But if he told you he was going to oppose you, you knew he would do it with all the parliamentary skills at his disposal, and those were considerable. But you knew where he was. You knew what your problem was, how to deal with him, how to work with him. And he respected other people of the same kind. Now there are other kinds of people around town in Washington, and they make public business very difficult. People without honor. Unfortunately, there are always a few around who will be described that way. I am not going to name any names, but they are there.

BALL: You were talking much earlier in the conversation today about what was necessary for negotiation, beginning with the need to know what it is you want. And you listed three things. But I've always heard you talk about a fourth, a presupposition to the other three. And that is that it requires a certain degree of integrity. And I've also heard you say about--And it surprised me--certain international figures--And if my recollection is correct you made the statement about Chou En-lai--that A) he was a good negotiator, and secondly the thing that made him a good negotiator was that you could rely on what he said, that he approached these things with a certain degree of integrity.

DEAN RUSK: Yeah. Yes, I think that's true. You know, at the beginning of each annual meeting of the U.N. General Assembly, for the first three weeks or so during what is called "General Debate," there convene in New York around eighty or ninety foreign ministers or prime ministers who have come there for the "General Debate." And I would every year go up there and spend two or three weeks having bilateral meetings with each one of those people right through the day. And in that annual meeting of the trade union of foreign ministers this element of integrity becomes very important. Because if a particular foreign minister finds himself to be regarded as a man without integrity, as devious, as unreliable, as a prevaricator, then his ability to represent his country diminishes rapidly. Integrity, even on the part of those that you disagree

with, becomes very important. But, in general, I found Andrei [Andreevich] Gromyko a man of integrity in terms of representing his country's point of view, although I had to oppose those points of view on many an occasion. So the point you raised is very important, although it isn't worn on one's sleeves. It isn't talked about very much, and very rarely written about.

RICHARD RUSK: Pop, this may be difficult for you to answer, especially with the tape rollin', but given your feelings about working with men of integrity, did it make it difficult for you to serve Lyndon Johnson? He had many fine qualities as president and as a man, but a strong sense of integrity I don't think was one of them.

DEAN RUSK: Well, I would disagree with you on that, Rich. Now Lyndon Johnson used to like to put on an act occasionally: put on an act for effect. And sometimes it was amusing to see him do that. But--

RICHARD RUSK: For example.

DEAN RUSK: When he would horse around or something like that, he and I would look at each other, and he and I both understood that I knew he was putting on an act. And--

RICHARD RUSK: You've got examples? Can you illustrate that?

DEAN RUSK: And he never tried to put on an act with me in private. Never. No, I think when all these thirty-five million papers are gotten into by the historians, they are going to find that he was a man of integrity. Now, he was a very skilled political manipulator. And that has led to the impression by some that he was a man without integrity. But he understood that at the end of the day Congress, for example, must act as a corporate body. And to get five hundred and thirty-five senators and Congressmen to act as a corporate body requires a great deal of continuing adjustment of personal points of view on particular issues in order to get the kind of consensus that would make it possible to act. Some people call that "wheeling and dealing." But a lot of that is necessary just to prevent those impasses which are built into the very structure of our constitutional system. So in my dealings with Lyndon Johnson I never had any problem with him on the issue of integrity. Now he might change his mind.

RICHARD RUSK: Never, ever?

DEAN RUSK: Well, I was just trying to think. I'm not aware that he ever lied to me, for example, in our personal relations: personal relations which included the official relations between a President and a Secretary of State. I think I would have caught up with it had he lied to me. But I can't recall when he actually lied to me about anything.

RICHARD RUSK: Interesting.

DEAN RUSK: Now, he made some remarks sometimes that I wondered about. For example, when he told me he was going to nominate me to the Supreme Court--I mentioned that--and I wouldn't let him do it. One of the points that I raised was that I could never in the world get confirmation by the Senate. He said, "Oh, yes. I've talked to Senator Russell about that. He said

you would be confirmed very easily." Now, I didn't check that out with Senator Russell. Did he actually have that conversation with Russell? Who knows?

BALL: Was he trying to manipulate you at that point? Or is that more complicated? Is it that he was also trying to take care of you?

DEAN RUSK: This was, I'm sure, an example of his generosity to those people who had served with him, and that he respected, and whose service he appreciated. He was trying to do something he thought maybe I might enjoy. But I wouldn't let him do it. And as it turned out, I would not have been confirmed because my name would have gone up alongside the name of Abe Fortas to be the Chief Justice. And the Senate put off that whole process until the new administration came in.

BALL: Well, I suspect he also knew that you would say "no."

RICHARD RUSK: It was safe for him to make the offer.

DEAN RUSK: Probably. But even so, his gesture in that direction was, I think, typical of his generosity.

BALL: Well, that's a kind of complicated, sophisticated art form.

DEAN RUSK: Lyndon Johnson was a very complicated man. No question about it. A very complicated man. But I had been trained by George Marshall to try to keep things as simple as possible. And in general I tried to do that, even though the problems might have been complicated. And that took some doing at times.

RICHARD RUSK: I've got one final question for me, Pop, and that is: Until you took this job as Professor of International Law at Georgia, with the brief period where you were a student of law at Berkeley, you were more or less sort of a practitioner of international law. You were engaged with it on sort of an operational basis. You took this job in '70 or '71. You taught it and studied it for fifteen years. Has that process alone changed your thinking in any appreciable way about international law? Has it confirmed everything you previously held?

DEAN RUSK: Let me comment on that in a way that perhaps I shouldn't. I suppose that I have practiced more public international law in the Truman, Kennedy, and Johnson administrations than has any other living American, because major points of international law were arising every day. And the attitude of the United States on these issues has a lot to do with what the law turns out to be because of our influence. But I felt at home in helping these students, not only to understand what was in the textbooks, but to help them understand how it is in the real world out there where governments are in daily relations with each other. And I think that perhaps added a little bit to my teaching. At least it gave me a good many "for instances" and stories to tell, and illustrations to use that were taken directly out of my own experience. I think that, Milner, as a professor you might be interested that when I started out I tried the Socratic method in the classroom, which is not easy in a large class.

RICHARD RUSK: Do you want to explain that for this oral history: Socratic method?

DEAN RUSK: A kind of question-discourse with the students by calling on the students to give their reactions to particular issues and things of that sort. But a group of students themselves came to me and said, "Don't do that. We want to get as much as possible out of your own experiences."

RICHARD RUSK: "We want to hear you. We don't want to hear these other students"?

DEAN RUSK: That's right. They thought that this Socratic method was, to some extent, a waste of time in connection with their getting as much out of me as they would hope to get in a one quarter's course in International Law.

RICHARD RUSK: Did you agree with them on that point?

DEAN RUSK: Well, to the extent that I got in the habit of telling a student a day in advance that I was going to ask him or her this question tomorrow, so they would be well prepared. I wouldn't just horse around with fumbling and bumbling about it. Now, whether from a law-teaching standpoint that was a good idea, I don't know. But I had a problem. The students themselves raised that issue with me.

BALL: Let me add a corrective footnote here. You said that you used a lot of illustrations from your own experience, and I team-taught the course with you.

RICHARD RUSK: What was the title of that course?

BALL: Constitution of Foreign Affairs, which your father has taught several times. But in that event it was taught by four of us, and I think it was largely a conversation between the four of us. But my point is this: Your classes were never a pastiche of war stories from your own experiences. You did have precise illustrations to make.

DEAN RUSK: Well, I tried--Yeah.

BALL: But I can remember seeing you get ready for classes by going over and pulling down cases in which you may well have been a defendant, and reading those cases again, making sure you had them clearly in mind before you went into the classroom. You went into the classroom not to go in to tell stories about your experience; you went in very well prepared on substantive--

DEAN RUSK: Well, what I tried to do was to have in mind for each class the cardinal points that I wanted to get across that day. Now sometimes I would advise students to keep a lookout in each class for the key points that their professors are trying to get across on that day. Now, professors are like everybody else, sometimes we have bad days as well as good days. And sometimes those central points are not all that clear. But, in general, I think professors ought to know in advance what it is they are trying to accomplish in that particular day. And that required continuing research, continuing checking. I sometimes said that you don't begin to learn until you begin to teach.

RICHARD RUSK: Absolutely.

BALL: But I don't want--the impression shouldn't be left that your classes were ever anything other than intellectually, substantively well- thought-out classes. It is not that you went in and just relied on stories from your experience. I was always struck with the degree with which you prepared for your classes.

DEAN RUSK: Well, I gave some thought to one way of checking on that, Milner, and that is to have some other professor in another law school grade the exams. But I didn't have a friend who would be willing to go through one hundred and fifty or eighty blue books. (laughter)

BALL: Some friend you would have been! (laughter)

RICHARD RUSK: Oh, hell, it wasn't a realistic idea.

DEAN RUSK: So I didn't actually use that.

BALL: In Iceland all the exams are read by the teacher and by a person appointed by the Supreme Court.

DEAN RUSK: Yeah. Well, at least I thought about some way of checking on the very point.

BALL: Well, it was demanding intellectually.

RICHARD RUSK: Was he a tough teacher in that sense? Stimulating?

BALL: Yeah, in that sense: substantively demanding. But your father had the bad habit when grading time came--bad habit from my perspective as a teacher--your father had a bad habit of recognizing only two letters in the alphabet when it came to distribution of grades.

RICHARD RUSK: "A" and "B"?

DEAN RUSK: Ooohhhhh. Well, I gave a "D" to one of your Law Review men once.

BALL: Unthinkable! It was a retaliatory measure!

DEAN RUSK: No, I think that my attitude toward grading was that no grading system is worth a damn. And I've also had an abhorrence of interfering in other peoples' lives. And these grades mean more than they should mean. And so I would tend to give the student the benefit of the doubt on the grades. Now, I gave as many "C's" as "B's" in my grade. But nevertheless, I very rarely got a complaint about a grade from the students. Usually when they were just on the margin between a "B" and a "C" or a "B" and an "A"--

BALL: You also developed another habit that I copied, and it was good teaching to me. I know that when people would write particularly good exams for you, that you would drop a note to them, or to their parents, or somewhere along the line, or would say something to them.

RICHARD RUSK: To their parents?

DEAN RUSK: Well, this came about almost by accident. One year, and it was after I had been here three or four years, I was struck by the top examination, graded on a blind basis. I didn't know who the student was. And so I just sat down and wrote a little note when I put the grades on against names, just wrote a little note to that student. And that student's parents made a visit, from some distance, over here to come in and see me and tell me how much that meant to them, that they had struggled and sacrificed so much to have their kid get through college and law school that this meant a great deal. So it occurred to me that if that is so, why don't I do that every year for the top exam? So I got into that almost by accident. I think it's one of those little things in life that could make a difference to the individual concerned.

RICHARD RUSK: Any other Rankism's that pertain to my Dad's teaching? You had a chance to observe him as a fellow professor and also as a student. Any other foibles that illustrate his teaching style?

DEAN RUSK: Well, one thing that a law professor runs into, and that is that some bright student from one year will write up very good notes on the class and then sell them to the students in the next class. And one result of that was that it would tip them off onto some my stories: Here comes a story about so-and-so. And I found that a little bit of an inhibiting process. So I tried to vary my stories a little to illustrate the points I was trying to make.

BALL: Someone started laughing before you told them?

RICHARD RUSK: Before the punch line. (laughter)

DEAN RUSK: One effect that students had on me was that we had some of those student evaluations where the students are asked to evaluate the professors, and for two or three years about six or eight of my students in a large class would complain that I put on and took off my glasses too frequently in class, and this was distracting. Well, my problem was that I was far-sighted and if I didn't put on my reading glasses I couldn't see my notes. And if I didn't take them off I couldn't see the students. So they drove me to bifocals. (laughter)

BALL: Tell me about that. You read, and you took to heart those student critiques. I have never done that. I have always accepted the exam as a criticism implied, as a standard of the quality of my teaching. And also what came from those students and what they thought about, I've never paid much mind to that business, "Well, he wore these funny clothes."

DEAN RUSK: I'm inclined to think that the best way to get student evaluations of a professor is after the student has graduated. Because when we get out of college or law school there are times when we greatly value the teacher who at the time we thought of as a son-of-a-bitch, because

they might have well turned out to be the best teachers we had, you see. So I think the evaluation process might be done with people who are three or four years out of law school.

BALL: I just don't think it's helpful to find "taking his glasses on and off". I'm sorry you were driven to bifocals, (laughter)

[break in recording]

DEAN RUSK: When I left office Francis [Orland] Wilcox, Dean of the Johns Hopkins School of Advanced International Studies in Washington, provided me a little downtown office where I could hang my hat and be near people I needed to see and receive guests, and things of that sort. Well, this was--

END OF SIDE 1

BEGINNING OF SIDE 2

DEAN RUSK: --Massachusetts Avenue was rather indignant that Dean Wilcox would have offered me this hospitality. Well, Fran Wilcox and I talked about it and decided not to tell these students that when I was president of the Rockefeller Foundation we put up the money to build the damn place with because we thought that would have further outraged these same students!

BALL: They would have burned it down! (laughter)

DEAN RUSK: But that's pretty well passed now. Since coming to Georgia, I haven't run into much of that. And in public meetings where there are discussion periods, I almost never get a question about Vietnam anymore.

RICHARD RUSK: Yeah. That opens another line of inquiry that would be fun to get into sometime.

BALL: I don't want to get into that.

RICHARD RUSK: Milner, this has been a very fine interview. I'm glad you came over.

BALL: I appreciate it, Rich.

[break in recording]

DEAN RUSK: -- jurisprudence of international law, to some extent.

[break in recording]

DEAN RUSK: When I was thirteen or fourteen, or thereabouts, we had a man in our church who was a clothing salesman. And he tried to get me to go on his trips to model clothes for him in his sales--

BALL: I expect you were taller than most people.

RICHARD RUSK: But, Pop, wasn't he interested in you for other reasons?

DEAN RUSK: I don't think so. Well, his daughter and I went together a lot.

[break in recording]

RICHARD RUSK: Pop, my question is this: Why should the United States, or any government really, comply with treaties in international law? Go ahead.

DEAN RUSK: Well, it is simply in our national interest in a very important way that there be a world in which treaties are complied with. It would be hard to find any law in the natural sciences that is as old, or as well established, as the notion "pacta sunt servanda:" agreements ought to be kept. See, when we make a treaty with another country we add to our ability to predict how that other country is going to act. We also bind our own action in the future, to a degree, in order to have another country bind its own action; and that often is very much in the interest of the United States. Given the position of the United States and our worldwide interests--economic, political--the United States has, I suppose, more of an interest in a world of law than almost any other country you can think of. And so I've always taken the view that it is a primary object of policy for the United States to try to establish a world largely governed by legal principles. Now there are many reasons beyond that--

[break in recording]

DEAN RUSK: To use the term reciprocal advantage to reflect the fact that by confirming that we will act in a certain fashion, we get in exchange for that a commitment by other governments as to how they will act. And that element of predictability, normality, is very important in our relations with other nations. You don't have to begin every question all over again as though it were a fresh question. Lewis Henkin has written a fine little book called *How Nations Behave* in which he describes why it is that most nations, most of the time, act in accordance with international law. And he brings out this element of reciprocal advantage very strongly in that book. But we in the daily interchange between our government and other governments all over the world, international law plays a very important part in the way we work out arrangements with other nations in a peaceful and constructive fashion.

RICHARD RUSK: I guess we always run the risk that if we choose not to comply with international law in some case, other governments might retaliate in kind. Is that a problem?

DEAN RUSK: Yes. For example, in the trade field if we do not act in accordance with the GATT [General Agreement on Tariffs and Trade] principles, then other participants in GATT have the right to impose compensatory or retaliatory measures. And when they do that they

usually look for those spots where we are most vulnerable, where it will be most painful to us. So there's always that possibility. Then, in terms of retaliation, at the end of the trail there is always the possibility that armed conflict could result. So that is simply one element in the more general proposition, in that it is in our interest to comply with international law and to try to promote the role of law in world affairs.

RICHARD RUSK: What role does domestic public opinion play in all of this? You have made the point earlier that the American people don't necessarily fully appreciate or understand what international law is and what it does. But is there a constituency out there that believes that we should adhere to international law?

DEAN RUSK: I think that's particularly true in countries like the United States, Great Britain, Canada and so forth. Indeed, I've sometimes said that in the United States, as far as the Executive Branch is concerned, only the President can violate international law, because a President will not let people junior to him put him or this country in the position of having violated international law. If you go back through this postwar period and you think of instances where we possibly might have been in violation of international law, I can almost guarantee that those actions were taken by the President, and no one junior to him. No, there's a very powerful political pressure in this country in support of international law, despite some of the rhetoric one hears from time to time. It also has a strong bearing upon how other governments around the world are going to react to what you are doing. If your action is clearly contrary to international law, you've got some major problems in persuading other governments to agree with you, in going along with you and giving you support. So it's a very important factor.

RICHARD RUSK: In that sense, world public opinion also tends to make one pay attention to international law.

DEAN RUSK: I'm a little skeptical about world public opinion because the world is so diverse, and the institutions by which world public opinion gets expressed are so hard to identify that I think one could not say very much about what world public opinion would think about a particular issue. For example, there is no consensus these days among the governments of the world with respect to terrorism. Broadly speaking, most governments are opposed to it. But there are governments who will support terrorists who are working for a particular cause because these governments support that cause. But I think it's pretty tricky to base action on considerations of world public opinions.

RICHARD RUSK: Ha! So among the problems of this postwar period would be the fact that you don't necessarily have a way of mobilizing world opinion or it's very difficult for world opinion to articulate itself on any given policy.

DEAN RUSK: Well, that's correct. Out of more than one hundred and sixty nations there are only about thirty of them that have constitutional democracies, where what the people at the grass roots think is of any importance at all. The other more than one hundred-and-thirty have varying degrees of dictatorship. And so much of world public opinion does not get a chance to express itself in any genuine way.

[break in recording]

I've also cited habit and inertia as one of the reasons why nations comply with international law. There's a tendency that when a matter comes up, you did it today the way you did it yesterday and the day before. These practices establish modes of thought, habits of thinking that simply point in the direction of complying with international law. And very often you simply don't give serious consideration to lines of action which are clearly contrary to international law. Now at the time of the Bay of Pigs I raised some of these issues privately, but they were rather brushed aside. And that helped to contribute to the great mistake in the Bay of Pigs.

RICHARD RUSK: There have been times when we have chosen to violate treaties, international law, at least not adhere fully to the either the language or the intent of those treaties and laws. Perhaps you can, number one, refer to some of those instances just briefly during the sixties while you were Secretary. Number two, what are some of the reasons that this country and nations do choose not to comply with international law?

DEAN RUSK: There may come a time when complying with a treaty seems to be very burdensome in relation to the subject matter of the treaty, where complying with the treaty seems to be under the circumstances unfair, unjust, or contrary to your own national interest. So there is a temptation there to evade the treaty and see how far you can go in getting away with it. I've been wracking my mind as to incidences during the sixties when we deliberately violated a treaty. I may have to come back to you privately on this. But at the moment one does not come to mind, (laughter) It is perhaps true--Well, there is one possibility. At the time the Organization of American States organized a peace force and an interim government in the Dominican Republic to permit elections, there was a provision in the charter of the OAS which forbids intervention for any purpose whatever. And we had to look at that. But my view at the time was that the interpretation and application of the charter of the Organization of American States was in the hands of the foreign ministers of the hemisphere, and not in the hands of professors in some law school somewhere. And so when the foreign ministers of the OAS met, and decided to organize a peace force and an interim government in the Dominican Republic, I thought that that was handling the law part of it properly.

RICHARD RUSK: Although we landed our troops prior to any meeting of the OAS ministers.

DEAN RUSK: Yeah, well, that was a part of the concept of humanitarian intervention, where the head of the armed forces in the Dominican Republic and the head of the police forces informed us that they could not accept responsibility for the safety of American and foreign nationals, and where the foreign diplomatic corps in the Dominican Republic, headed by the Papal Nuncio as Dean of the corps, asked us to intervene on behalf of foreign nationals. And my own view is that that action was more or less forgiven by the action taken shortly thereafter by the foreign ministers of the hemisphere in organizing a Latin American peace force and free elections.

RICHARD RUSK: Of course, the OAS treaty, the treaty that established that Organization of American States, probably said nothing about the concept of humanitarian intervention, (laughs)

DEAN RUSK: That's correct. Because if you try to reduce that to a doctrine then you open the way for all sorts of abuses. Now our view is that where there is a government in position to assume responsibility for the protection of foreign nationals, it's up to that government to do so even though they may not do it perfectly. But where you have a situation where there is no government in being, or where there is a government which seems to be colluding with the attacks on foreign nationals, then most international lawyers would say that there is a right to intervene in support of the safety of foreign nationals. Now, in such cases, however, one must look at the practical considerations. That is, what loss of life might be involved, what effect your intervention might have on the safety of the very foreign nationals you are trying to save, and considerations of that sort. But I think most international lawyers would say that within some circumstances there is a right of humanitarian intervention. For example, the Israeli raid on Entebbe. It seemed to me to be clearly in conformity with international law. We would have had a right to intervene, to recapture the officers and crew of the Pueblo in North Korea, but practical considerations would have made that a very unwise step. The North Koreans had five hundred MIGs. It would have taken some time to put together a force that was large enough to oppose the North Korean air force, and had we made the effort we probably would have picked up corpses rather than live officers and crew off the Pueblo.

RICHARD RUSK: Did you see yourself on shaky ground at all using this concept of humanitarian intervention? Number one, from the point of view that you could not reduce it to a doctrine? Number two, that that concept could easily be abused. I'm sure when the Soviets went into Afghanistan they did so singing the language of humanitarian intervention in some form or another. Did you feel yourself on shaky ground? Out on a limb?

DEAN RUSK: One has to treat it with considerable care, simply because it would be so easily subject to abuse. It gave me no problem whatever when we used American planes to land a battalion of Belgian paratroopers in Stanleyville, in the Congo, to rescue some six hundred Caucasian hostages that were being held there. And we did that, of course, with the knowledge and cooperation of the head of the government of the Congo. But this particular area, Stanleyville, was in the hands of people who were in rebellion against the government of the Congo.

RICHARD RUSK: So it would depend largely on circumstances?

DEAN RUSK: Largely on circumstances. The same sort of problem arises with respect to, well, some people call it preventive self-defense: that is, to deliver a strike first as a step in self-defense. That again is a very tricky concept because it is so much subject to abuse. And I think the pressures of international law ought to be against preventive self-defense because it is a notion that could easily lead to acts which are, in fact, aggressive in character.

RICHARD RUSK: Yeah.

DEAN RUSK: In my own classes I've used the positions in which the Israelis found themselves in in June 1967, as a sort of test-case of preventive self-defense. The Arabs had stepped up the rhetoric of holy war against Israel. They had mobilized the Unified Arab Command, including Syria, Jordan, Egypt. An Egyptian general had arrived in Jordan to assume command of the

Jordanian forces within the framework of the Unified Arab Command. [Gamal Abdel] Nasser was moving major forces into the Sinai. And so Israel faced a situation where they apparently felt that unless they struck first, they could be subject to a very destructive first-strike or surprise attack by the other side. Now that comes pretty close to being a justifiable act of preventive self-defense. But you have to watch that because I don't believe Israel was justified in knocking out that Iraqi reactor on the doctrine of preventive self-defense. So it's very hard to draw the right line. And I think the move into Afghanistan was perhaps an abuse of this notion.

RICHARD RUSK: I'm trying to think of other instances where we may have violated international law during your tenure. What about John Kennedy's decision to increase American advisers beyond the MAAG [Military Assistance Advisory Group] limits back in '60? Would that be an instance of it?

DEAN RUSK: There was the problem that President Kennedy increased American military advisers beyond the limits that seemed to be set by the Geneva Agreements, which we had not signed, by the way. Nor had the South Vietnamese signed it. But that raises another kind of issue: if the North Vietnamese had begun their infiltration, as they had at that time into South Vietnam, for the purpose of taking over South Vietnam, violations by one side can open up more freedom of action for the defensive side. In other words, an aggressor cannot commit aggression and insist that the defender comply in every respect with international law. That would be too one-sided.

RICHARD RUSK: Yeah. I hate to belabor the point, but I just wonder how pristine pure we were with respect to international law in the sixties. Obviously no country has a perfect record in that regard. What about the activities of the CIA [Central Intelligence Agency] abroad with various forms of harassment. I'm thinking in particular of [Fidel Ruz] Castro and Cuba. I know you weren't aware of some of those activities that later surfaced during the [Frank Forrester] Church hearings. What about our tendency to get involved in the domestic politics of countries who are at points of transition? What about that kind of thing? Did that stuff ever trouble you from the point of view of international law?

DEAN RUSK: Well, I vetoed certain things of an undercover nature because I felt they transgressed general rules of conduct too badly.

RICHARD RUSK: Any "for examples"?

DEAN RUSK: There is a mean, dirty, back-alley fight going on, in which a good many nations participate, involving espionage, and counter-espionage, and all sorts of dirty tricks. Now that goes underneath the framework of international law. Indeed, to a point where--

RICHARD RUSK: Outside of the framework?

DEAN RUSK: Outside of the framework of international law. And they have developed certain rules in that game. For example, the government that is engaged in such business keeps itself in a position to deny its involvement. And that helps to prevent elevating such incidents into a major confrontation between the nations directly concerned.

RICHARD RUSK: Is that an argument for allowing considerable autonomy to groups like the CIA?

DEAN RUSK: No. The CIA must never be permitted to become a government within a government. Looking back during my period, I think we should have exercised much more severe oversight over CIA activities in the executive branch.

RICHARD RUSK: Think of the advantages if you are not involved. You can legitimately claim that the government of the United States was not involved in any particular activity.

DEAN RUSK: Well, that issue came up at the time of the shooting down of the U-2 by the Russians. [Nikita Sergeevich] Khrushchev practically invited [Dwight David] Eisenhower to disassociate himself from that U-2. But Eisenhower--And they had a cover-story they used at the time about being lost, or bad weather, or something another. But Eisenhower was faced with the choice of disassociating himself and then being faced with the problem that people would ask, "Who's in command here? Who's in charge here?" And Eisenhower took, under the circumstances I think, the right step by acknowledging that this was done under his authority, because he did not want to leave the impression that things like that were being done without his authority. And, indeed, it turned out to be the truth. He did know about it.

RICHARD RUSK: What was the attitude of the Kennedy administration? And I am thinking of John Kennedy, yourself,--starting with you two--perhaps, Robert McNamara, and Bobby Kennedy with respect to knowledge and involvement by the highest levels of government in these various activities of the CIA. Did you guys ever discuss that? Just what did you want to know? And I had the feeling that we may have run into a time during the Kennedy years that, you know, we wanted certain things to happen perhaps in that field of counter-espionage, the CIA, and covert action, but we didn't necessarily want the highest levels of government involved.

DEAN RUSK: Well, Kennedy made it pretty clear that he did not want things to go on without his knowledge, that he was indeed the President, going back to the first sentence of Article II of the Constitution. I remember early in his administration, I went to him and said, "I think, and many other Secretaries have thought, that it would make sense for us to have diplomatic relations with the Vatican." We had never broken diplomatic relations with the Vatican. In fact, just after the Civil War a rider was put on an appropriations bill saying that none of these funds shall be used to maintain a minister in Rome: Rome then being the Vatican City. And all those years we had been carried on the Vatican diplomatic list with a simple notation of "absent" in terms of their blue book. So I said to Kennedy that I thought we ought to consider establishing diplomatic relations with the Vatican. And I knew that might cause him some problems because he was a Catholic, but that I was a Protestant-Calvinist, and that I would be glad to take full responsibility for it. Well, he said, "Well, I'm afraid you can't do that because it's my administration. But check it out with the Catholic leadership around the country and see what they think about it." So we did and found that the Cardinals and other elements of the Catholic leadership were very cool to the idea.

RICHARD RUSK: On what grounds?

DEAN RUSK: Partly because, I suppose, they didn't want to stir up a great fuss with the Baptists, for example. But we should have diplomatic relations with the Vatican. There are a large number of countries that do. The Vatican itself would not allow us to accredit to the Vatican our own ambassador in Rome: our ambassador to Italy. We insisted upon sharp distinctions between those two functions. And that was in part to maintain this separate identity of the Vatican itself. But most Presidents in this modern period have had at least a personal representative to the Vatican without the full status of an ambassador. But we now have established full relations. And I think that was a good step.

RICHARD RUSK: Kennedy may have said he did not want things to happen without his knowledge. But did you ever get the feeling during the Kennedy years, in light of what later transpired with regard to CIA activities, that at the highest levels he almost preferred not to know?

DEAN RUSK: In some of those revelations that occurred before the Church Committee, I think it's possible that there were some people in CIA who felt that if Kennedy had given his approval to the Bay of Pigs that that included approval to lesser things. But I think it's wrong for people in CIA to draw such conclusions for themselves without checking it out with people on top. For example, Llewellyn [E.] Thompson [Jr.] was, for a time, my representative to the 303 committee, or whatever it was: the interdepartmental committee that looked at clandestine operations. And he came in to see me one day, and laughingly mentioned that some junior officer present had raised the question of assassinating Castro. And we both laughed about it and agreed that this was completely out of bounds. But these things that actually occurred were simply not brought before that particular committee. Now whether or not someone like a Bobby Kennedy had any role behind the scenes in such things, causing people in CIA to think that if Bobby Kennedy was involved that necessarily meant the President approved, I don't know. I do know that it would be a mistake to suppose that whatever Bobby Kennedy said was in fact the views of the President on a number of matters.

RICHARD RUSK: Yeah. When Llewellyn Thompson described that to you, how exactly did he do that? Was that action in conjunction with a line of things that were discussed?

DEAN RUSK: He and I would usually go over the things that either were going to come up in the 303 committee or had developed in the course of the 303 committee meetings. And there were times when I simply vetoed a number of things. For example, Bobby Kennedy wanted us to launch a program to get American businessmen abroad.

RICHARD RUSK: That one we've got on tape. Can you think of any other examples of activity that you personally vetoed?

DEAN RUSK: Yes, but I don't think I should put it on tape.

RICHARD RUSK: Okay. Getting back to this question of why it is that nations occasionally violate treaties and international law. What about the protection of "vital interests"? I'm thinking

particularly of the problem of oil dependency of western nations. Is that also a factor that causes violation of international law?

DEAN RUSK: One has to be a bit careful on that because I think most vital interests are protected by existing rules of international law. But when the Israelis, the British, and the French attacked the Suez in the mid-fifties, that probably was done, in their minds--

END OF SIDE 2

BEGINNING OF SIDE 3

[Note: This is the end of side 2 of the tape, but not the end of the interview. When the side 2 of the tape was filled, Richard turned the tape back over to side 1 and accidentally recorded the conclusion of the interview over the beginning. The conclusion of the interview, "side 3," takes up about the first 1/4 - 1/3 of side 1 of the tape]

DEAN RUSK: --directly and seriously in contravention of international law, and the rest of the world community simply wouldn't buy it. And they didn't get away with it in that particular instance. You see, again vital interest is a concept that could be used as a pretext for aggression. One has to be very careful about using concepts that lend themselves to a case for aggression.

RICHARD RUSK: Can you think of a case where domestic public opinion might have encouraged our government not to comply with international law? Can the weight of public opinion go both ways on the issue of international law?

DEAN RUSK: Oh, yes, I think that today we are seeing a good deal of public opinion being stirred up in favor of protectionism: shoes and glass and carpets and textiles and all sorts of things. Yet, for us to take the kind of action that a good deal of public opinion would support, would put us in violation of existing trade agreements and bring upon us retaliation. Or, I suppose that if you polled people of the grass roots there would be a considerable number of people in this country who think that we should just invade Cuba and get rid of this fellow [Fidel] Castro. Well, one has to be careful about that. But there are times when tides of public opinion would move you toward a violation of international law. I don't think we really know what their feelings were deep down inside.

RICHARD RUSK: Richard Nixon gave dismissal notices to his entire staff right after his second inauguration. And then we had the Watergate experience on top of that.

DEAN RUSK: Well, when a President begins a new term, all Presidential appointments are supposed to turn in their resignations.

RICHARD RUSK: Well, why was it humbling for you--and I think it definitely was; I don't think anyone could challenge that--but it wasn't, necessarily, for lots of other men who find themselves in positions of real power and responsibility?

DEAN RUSK: I don't know how to explain that. There are some people who appear to want to hang on to those jobs at all costs. That was not my own view. I made it very clear to President Kennedy and President Johnson that I was ready to leave at the wink of an eye. They didn't have to ask for a resignation, all they had to do was to give me some intimation that they would like to make a change in my position. So I was not--It's rather ironic that I was not one of those who was trying to hang on at any costs, and yet I stayed there for eight years. (laughter)

RICHARD RUSK: That's funny. That is funny, and ironic.

BALL: Richard's right about that. If you look at the subsequent history of Henry Kissinger and the subsequent history of Dean Rusk after leaving office, in one case it was an extraordinary reluctance to give up power, at least the appearance of power, and in the other, it wasn't.

RICHARD RUSK: It's an important question.

DEAN RUSK: It's a more important question for Henry Kissinger than it is for me. (laughter)

RICHARD RUSK: Ah, that's funny!

BALL: I want to know--This is my last question: Were you a weed? What was it like being a weed?

RICHARD RUSK: Oh, I didn't mind growing up like a weed. It's a lot of fun being a weed, (laughter)

BALL: Yeah?

DEAN RUSK: I think the record will show that Virginia [Foisie [Mrs. Dean J Rusk] and I averaged having dinner at home with our family about once a month for eight years. There were official functions and embassy dinners and foreign travels and all that kind of thing. And so these poor kids just had to do it on their own. They did a darn good job of it, if I may say so. Those jobs do exact a price in family terms. It isn't easy to be the child of a person who's in the public eye all the time, among their own peers and in other respects.

RICHARD RUSK: Oh, I wouldn't have given up the experience.

BALL: You wouldn't?

RICHARD RUSK: No, not at all. No. I got a few dates with some girls I might not have had a chance with otherwise. (laughter)

BALL: What was that like, seeing your dad come home? He must have been tired and worn out. Whatever burden it was you were trying to get him to describe, you certainly felt it yourself.

RICHARD RUSK: Later. Not necessarily at the time. We did an amazingly good job at divorcing all that from the family.

DEAN RUSK: I did not bring the public business into our home at the end of the day. Virginia particularly wanted it that way because she would go out to so many of these official functions and National Day parties and things like that, and various and sundry people would try to pump her for information. And she much preferred to be in the position to say honestly, "I don't know."

BALL: With those clear eyes, you would have to believe her.

DEAN RUSK: Yeah. Not once in eight years did she ever make a remark that caused any problem of any sort. She was really superb at that.

BALL: And probably had the capacity to engage people at a very intense, personal level at the same time.

DEAN RUSK: Well, she had one knack on which many people have commented. She could be in a room with six hundred people at a reception or something, and move around the room meeting people. But for those thirty or sixty seconds that she was greeting you, she would give you her complete and undivided attention. And you would think at that moment that you were the only person she was aware of. She wasn't looking over your shoulder to see who was going to be next, and that kind of thing, and then people commented. That's just typical of her.

BALL: There must have been a good deal of discipline in keeping the home that way for both of them.

RICHARD RUSK: Milner, you're definitely changing the focus of this interview.

BALL: Well, the tape is running out! (laughter) I want to know that. I didn't call you a weed.

RICHARD RUSK: That's right. (laughter)

DEAN RUSK: Well, there were limits to what might be called discipline in the home. In my own family we were pretty close as a family, but nevertheless we did not intrude upon each other. Each member of the family was a sovereign soul and we tended to respect that. And I would have thought if I had tried to bear down too hard on Richard, for example, and there were times when I might have, that it was--

BALL: (laughs) Give us some examples!

DEAN RUSK: --it was somehow undignified or unworthy, both for me and for him, to proceed on the basis of beating his ears and that kind of thing.

RICHARD RUSK: I don't deny that your family upbringing had a considerable effect on you and the way you did things. However, in terms of family discipline, your action was to take a totally different tact than what you experienced back there in Cherokee County and Atlanta. How do you explain that? You came out of a very disciplined family structure, and yet you chose to be much more laissez-faire about discipline as a parent.

DEAN RUSK: I don't know, Rich. I would have to--

BALL: I've heard you talk about your mother [who] had the capacity to do what you did, and that was to block those things like you. I've heard you say she could sit down in a rocking chair--

DEAN RUSK: And take a nap.

BALL: --take a nap. So that kind of discipline you also exhibited. It wasn't a question of doing something different, but of carrying that forward.

DEAN RUSK: Well, we just grew up with respect for our parents. And when they spoke we listened, and usually obeyed. That was just a part of our way of life and the expectations that we had in our family. I don't know how to describe this, but somehow we still left each person in the family an area of his or her own. And there was an individuality within the family group that was respected. So that has to be put alongside the notion of discipline and training.

END OF SIDE 3