

19

Jon: What happens, when the vote on prosecuting an individual is closely split. Would the position of all nations be adequately represented in this case?

Peguy: You are putting too much emphasis on procedural details.

Jon: Unfortunately the negative believes that the affirmative case does not have enough detail. And that is why I'm asking this question. What would happen? Would the decision adequately represent the position of all nations involved? Forty-nine states say no, but fifty-one still prosecute that individual.

Peguy: The percentage necessary to initiate prosecution needs to be determined. So, I cannot tell you, "Okay they are going to make their decisions based on a 49-51 split."

Jon: So, we really don't know how the court is going to make its decisions.

Peguy: Well, we do know...

Jon: So, how would it make its decisions?

Peguy: I don't think these details are important.

Jon: They aren't important enough? Another argument that you are making is that under the status quo states really are not absolutely sovereign?

Peguy: They are not.

Jon: And your argument follows that we could continue this situation—, is that what you are saying?

Peguy: I said you cannot have absolute sovereignty. A nation cannot stand today and say 'Okay...'

Jon: So, it is okay to limit sovereignty further because nations do not have absolute sovereignty now?

Peguy: What I am saying is, in the times we are living now, that is something...

Jon: But, that is the historical context. Does your argument say that because states can't have full sovereignty in the modern world, it is okay to limit sovereignty further? Is that what it is saying?

20

Peguy: For a good cause, you can...

Jon: For a good cause.

Peguy: You can expect to lose sovereignty.

Jon: Isn't your argument a fallacy based on tradition?

Peguy: What do you mean?

Jon: You are justifying an action that is not good, just because it happened before.

Peguy: I didn't say limiting sovereignty was not good. My second point says too much sovereignty is bad. So limiting sovereignty is actually good.

Jon: That is a good answer, thank you. The other question is: one of your partners said that the fundamental reason why we need an international court is because the United States should not be able to prosecute foreigners here. That is why we need an international statute. What prevents the United States from putting that foreigner on a plane and sending him back?

Peguy: Different standards of justice.

Jon: Okay, what prevents the two states from negotiating their own standards.

Peguy: That is why we need the International Criminal Court. All states get together, and we have a uniform international criminal court...

Jon: Right, so then the likelihood of having national arrangements that are just as efficient as the international court is ...?

21

Peguy: No, it wouldn't be efficient, because national agreements would be too much trouble. The United States would have to deal with Russia, China...

Jon: You are telling this room today, that it would be more efficient to negotiate something with 108 states as opposed to two states?

Peguy: We have the United Nations today.

Jon: Okay, thank you.