

FOREWORD

In June, 1955, the University of Michigan Law School held a six-day Summer Institute dealing with problems of international law and of the United Nations. This was the eighth in the series of annual Summer Institutes dealing with important problems in areas of public concern, often with particular emphasis upon the comparative or international law aspects involved. The 1955 Institute came at the time of the tenth anniversary of the signing of the United Nations Charter on June 26, 1945, and approximately a decade after the termination of hostilities in World War II. The growth of the United Nations during that decade has been paralleled by the increasing interest in international legal studies on the part of law students, law teachers, and practicing lawyers in the United States and elsewhere throughout the world.

International and foreign law questions will bulk increasingly large in the activities and interests of many practicing lawyers, government officials, and schools in the years ahead. Some familiarity with legal problems and their solution in a context wider than the single state or nation is believed desirable in broadening the horizons of the law student and lawyer, helping him to place familiar rules and practices in a larger perspective, and clarifying his understanding of the domestic legal system with which he is most familiar. If the lawyer, who in American society so often takes a leading part in community and government activities and in the formulation of public opinion and national policy, is to discharge adequately the broader responsibilities of his profession, he must have some acquaintance with international law. International law, as the legal aspect of international relations, calls for the lawyer's skills, the lawyer's attitudes, the lawyer's approach. With the increasing importance both of the United States in world affairs and of international relations to all of us in the United States, it becomes highly necessary to have many persons sufficiently conversant with international law to understand the legal side of the problems arising in our relations with other countries. Recognition of this growing interest in international studies, and of the importance of bringing work

in international law and foreign law more closely to the attention of the great mass of American law students who will form the bar of tomorrow, caused the Ford Foundation to make a noteworthy series of grants to certain American law schools late in 1954 and in 1955 for the promotion of international legal studies. The University of Michigan Law School was among the grateful recipients of such a grant.

Having these factors in mind, the law school brought together for six days a group of law school teachers of international law, lawyers active in the field, and certain government officials working on international legal topics. The sessions were open to, and participated in by, law students, political scientists working in international law and relations, and interested lawyers. The purpose was to have a mutual exchange of ideas and discussions of new trends and developments. This volume contains the papers delivered and, so far as possible, the substance of the formal discussions which took place.

The subject matter of the Institute may be divided into two principal fields. The first portion was devoted primarily to the examination, particularly from the law teacher's standpoint, of some of the newer developments in international law and the general scope and content of what has more recently been called "international legal studies." The latter portion of the program focused upon the first decade of the United Nations.

Thus the first day was given over to a consideration of some of the newer vistas in international law, including by way of example the "policy science approach," the law of international trade and investment, commercial treaties as a subject for study and research, and the problems relating to needed and projected research in international legal studies. Problems involved in the actual teaching of international law courses and seminars of various types in law schools in the United States were taken up on the second day. By way of specific example, the panel discussion dealt with contemporary developments concerning treaties and other international agreements. As an indication of one of the very new fields, a session was devoted to "the challenge of the atom to international legal studies." A day of discussion explored the problems of adapting the traditional international law principles and practices of the past two centuries to the rapidly moving, and at times chaotic, developments in the fields of high seas fisheries, the continental shelf, and territorial waters.

The two days devoted primarily to the discussion of United Nations problems centered first upon certain legal aspects of

the first decade of the United Nations; and then looked to the current scene and the future with the discussion of "limitations on what the United Nations can do successfully" as brought out in the efforts to deal with restrictive business practices, and the general problem of review and revision of the United Nations Charter.

Those participating in the Institute were most grateful for the opportunity to live, eat, and visit together informally in the facilities of the William W. Cook Law Quadrangle of the University of Michigan. Warmest appreciation should also be expressed for the financial support of the Institute by funds from the budget of the University of Michigan Summer Session, the Ford Foundation grant to the University of Michigan Law School for international legal studies, and a generous donation by Mr. Gilbert H. Montague of the New York Bar, who has so graciously contributed to the support of other summer Institutes at the University of Michigan Law School. Finally, the undersigned as the Chairman of this Institute wishes to express his gratitude to Dean E. Blythe Stason and to his colleagues of the faculty of the University of Michigan Law School, to Mrs. Kathleen Dannemiller and Dr. Rinaldo Bianchi as his chief assistants in the Institute, to the staff of the University of Michigan Lawyers Club, to various students who helped in so many ways, and to all of those from the University of Michigan community and elsewhere who contributed as participants, each in his own way, to the success and enjoyment of the Institute.

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