

SUMMER SESSION IN THE TEACHING OF INTERNATIONAL AND COMPARATIVE LAW*

With the cooperation of the Carnegie Corporation, the Association of American Law Schools will sponsor in New York this summer an Institute in the teaching of international and comparative law. This is a project which owes its origin to the establishment by the Association in early 1947 of a Committee on international and foreign law, charged with the organization of Round Table Councils on international and foreign law, the stimulation of the teaching of these subjects and the encouragement of the international interchange of legal scholars and students.

Correspondence by this Committee with the deans and faculties of member schools revealed an active interest in the teaching of international and comparative law. Replies received to circular letters and questionnaires showed that 30 schools currently were offering courses in international law and 16 in either comparative or foreign law. Although the others reported no courses in either field, 27 of them expressed great interest in the work of the Committee and many declared an intention to introduce such courses at the earliest opportunity. As might be expected, their ability to do so is often contingent on the availability of properly trained and qualified teachers. Teachers frequently will have to be found among members of existing faculties, and these teachers may have had little or no experience in the fields in question.

In these circumstances the Committee early came to the conclusion that a most useful purpose might be accomplished through the holding of an Institute in the teaching of international and comparative law. The immediate objectives of the Institute would be to assist in the preparation of qualified teachers of international and comparative law, to facilitate in this way the introduction of courses in member schools and to achieve a greater degree of uniformity in the results.

Beyond these considerations, however, the Committee feels that there are more far-reaching possibilities of even greater importance. Two trends are discernible at the present day. In the first place, there is a growing tendency among American law schools to teach law not merely as a set of rules but as part and parcel of the economic, social and political life of the time. Modern teaching methods in such courses as labour law and

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constitutional law are examples of this tendency, and there are many others. It is perhaps true that a certain provincialism is still to be noted in this connection, with a concurrent disposition to regard the background as bounded by the community. Fundamentally, however, the reality cannot be ignored that international considerations intrude upon almost every aspect of modern life. Lawyers and teachers of law alike must be familiar with these international implications and law schools will be seriously derelict in their duty if they do not turn out graduates who have an appreciation of the international scene.

A second trend is observable in the practising profession, a tendency to get excited about international and comparative law questions. Recent activities in the section of international and comparative law of the American Bar Association, the organization of such bodies as the Inter-American Bar Association, the decision of the editors of the American Bar Association Journal to devote a special section to international law, all are manifestations of this phenomenon. There is nothing altruistic about this attitude of the lawyers. More and more legal business cuts across national lines, in the handling and disposition of estates, in matters concerned with trade marks and copyrights, in the interpretation and application of treaties and trade agreements, and in countless other ways. At any time the practising lawyer may find himself involved with buyers and sellers who live in different countries, with bills of exchange or letters of credit drawn on one continent and payable on another, with ocean bills of lading, or with some other of the numerous paraphernalia of international trade. The need to know something of international and foreign law is on the way to become a commonplace in daily practice.

Both these trends, among the law schools and in the practising profession, are due rather to the needs and demands of the times than to any concerted movement. They are inchoate and their progress, however noticeable, is without either organization or guidance. The Committee is hopeful that in these facts may be found the long-range importance of the projected Institute. The giving at this particular moment of impetus, coordination and guided direction is bound to influence profoundly the present and future course of international thinking in the legal profession.

The sessions of the Institute will be held from August 23rd through September 4th in the house of the New York City Bar Association on West 44th Street in New York City. The first seven days will be devoted to international law and the remainder

of the time to comparative law. In addition to the regular sessions, which will be held from nine to twelve each morning and from two to five each afternoon, there will be occasional evening lectures on subjects of current interest and a number of meetings of a purely social nature. No sessions will be held on Sunday, August 29th. In a general way the discussions will be built around the topics of course objectives and content, bibliography and teaching materials, teaching methods and recent developments in the substantive law.

Among those who will participate in the Institute on either a full-time or a part-time basis are Justice Green Hackworth of the Court of International Justice, Justice Robert H. Jackson of the United States Supreme Court, Philip C. Jessup, United States Delegate to the Interim Council of the United Nations and Professor of Law in Columbia University, Professor James Brierly of Oxford University, Dean Edwin D. Dickinson of the University of California School of Jurisprudence, Professor Max Rheinstein of the University of Chicago, Professor John Hazard of Columbia University, Professor Hessel Yntema of the Yale Law School, Professor Josef L. Kunz of the University of Toledo, Alger Hiss, President of the Carnegie Endowment for International Peace, and Durward Dandifer of the Department of State.

The Committee is convinced that the matters to be discussed at the Institute are of interest and concern to the legal profession of Canada, as well as to that of the United States. A cordial invitation to attend any or all of the sessions of the Institute is accordingly extended to the members of the faculties of the law schools of Canada. It is the hope of the Committee that many of them will be able to be present.

RECENT JUDICIAL APPOINTMENTS

DONALD E. LEWIS ESQ., K.C., of Brockville, to be a Judge of the County Court for the Counties of Leeds and Grenville, in the Province of Ontario.

FRANÇOIS CARON, ESQ., K.C., of Hull, to be a Puisne Judge of the Superior Court for the District of Montreal, in the Province of Quebec.