

Spring 1964

Introduction to the Procedural Aspects of International Law Symposium

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Recommended Citation

(1964) "Introduction to the Procedural Aspects of International Law Symposium," *Indiana Law Journal*: Vol. 39: Iss. 3, Article 1.
Available at: <http://www.repository.law.indiana.edu/ilj/vol39/iss3/1>

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INDIANA LAW JOURNAL

Volume 39

SPRING 1964

No. 3

SYMPOSIUM: PROCEDURAL ASPECTS OF INTERNATIONAL LAW

INTRODUCTION

The activities of law schools, bar associations and foundations today reflect a growing concern with international law. Yet until recently this newly-acquired interest in "world peace through law" has centered upon the need to refine or create substantive rules; the procedural problems of applying this body of law have been largely overlooked or ignored. Three years ago the Syracuse University College of Law, recognizing that the procedural side of international law had received far too little attention, established an International Legal Studies Program with major research responsibilities in this area. Two books,¹ one symposium,² and several articles³ have appeared to date.

This symposium is the program's latest contribution to legal literature.⁴ Publication of this symposium and the proceedings of the recent annual meeting of the American Society of International Law⁵ should create further interest in this hitherto neglected area. While efforts to restate or codify substantive rules of international law are most important, so too are efforts like these papers which suggest ways and means of bringing this law to bear on governments. Everyone concerned with building international law, then, would do well to keep in mind the observa-

1. These books, published by Syracuse University Press in its Procedural Aspects of International Law Series, are LILICH, *INTERNATIONAL CLAIMS: THEIR ADJUDICATION BY NATIONAL COMMISSIONS* (1962), and LILICH & CHRISTENSON, *INTERNATIONAL CLAIMS: THEIR PREPARATION AND PRESENTATION* (1962). Soon to be published are three new books in this series: FALK, *THE ROLE OF DOMESTIC COURTS IN THE INTERNATIONAL LEGAL ORDER* (1964); WHITE, *THE USE OF EXPERTS BY INTERNATIONAL TRIBUNALS* (1965); and LILICH, *ESSAYS ON THE PROTECTION OF FOREIGN INVESTMENT* (1965).

2. *International Law Symposium*, 13 SYRACUSE L. REV. 513-53 (1962).

3. See, e.g., Lillich, *A Pyrrhic Victory at Foley Square: The Second Circuit and Sabbatino*, 8 VILL. L. REV. 155 (1963).

4. It consists of four papers on various aspects of the subject which were delivered at the first Regional Meeting of the American Society of International Law held in Syracuse on March 14, 1964.

5. 58 AM. SOC'Y INT'L L. PROC. (1964).

tion of Mr. Justice Holmes that “legal obligations that exist but cannot be enforced are ghosts that are seen in the law but are elusive to the grasp.”⁶

6. *The Western Maid*, 257 U.S. 419, 433 (1922).