

# **Chairman's Report**

## **Section of International Law**

### **American Bar Association**

I think it best to begin this review of the year's activities in terms of the goals which I set a year ago, with the new council and also in the "International Law News" of October 1977.

#### **The Section's Goals**

1. We set as our goal an expansion of our membership from 7,200 members to 8,000 members. We wanted to do this to increase the revenue of the Section, to give us greater resources, and to expand our influence by broadening our base. The membership level as of July 1978 was just over 7,900. This was an increase of about 10 percent and a magnificent achievement. We grew at a faster rate this past year than any other section of the ABA. The increase in membership was a result of a lot of hard work on the part of our membership chairman, M. Sean McMillan. He deserves our deepest thanks for his efforts. The membership effort was a major revenue generator for the Section.

2. We stated that we wanted to involve our student members in our Section activities to a greater extent than had previously been the case. We are fortunate to have Richard Rawson as our Law Student Division Liaison for the past year. Through his efforts we seem to have figuratively broken the sound barrier to the achievement of genuine student participation in our Section activities. The booklet "Career Opportunities in International Law" is now out and selling extremely well. This sets forth some of the opportunities for students who want to specialize in international law. Our annual international law weekend in October in Washington achieved a high level of success. Participation was greater than any before, and the number of colleges represented was also greater. Austin, Texas, was the site of the Section's midyear meeting. There, we held a reception for students of the University of Texas Law School, one of the best in the United States. This was well attended by both faculty and students. At our Washington, D.C., spring meeting, student members entertained the leadership of the Section at a reception, with considerable inter-

change. Student participation in carrying out our two national institutes was welcome. Student membership is higher than it was a year ago.

3. We targeted as one of our goals the restructuring and reorientation of *The International Lawyer*. Joseph P. Griffin chaired the committee to accomplish this goal. The committee has recommended the designation of Frank Ruddy of Houston, Texas, as the new Editor-in-Chief. According to council-adopted guidelines, *The International Lawyer* will be more business-oriented than it has been in the past. Organizational restructuring is now in process. The current editorial structure is to be replaced by an Editor-in-Chief, three associate Editors-in-Chief and a working board of at least ten editors chosen for functional expertise in specific areas. Alwyn V. Freeman has served the Section with distinction as Editor-in-Chief since 1975. He has assisted in the transition by completing the editing of all 1978 issues. We owe him a debt of gratitude.

Our other major publication is *The International Law News*, under the editorship of Charles White. It continues to serve as a vehicle for current information about our Section's activities and members. This sprightly quarterly continues its important role in bringing us together by relaying information relating to the Section's progress and programs.

4. We planned two successful national institutes for the 1977-78 year, and these institutes are now history. One, held in November under the leadership of Mark Joelson, was the Institute on Current Legal Aspects of Doing Business in the European Economic Community. It proved financially successful and was very well attended. The proceedings of this Institute have been published and should be a good revenue producer. The Institute on International Human Rights Law and Practice was held in Washington, D.C., in April 1978 with Bruno Bitker and James Tuttle as co-chairmen. The meeting was most timely. It added a new dimension to our previous activities in legal education, at a time when the organized bar is under fire from some quarters. The Institute was a sensitive response to those who question the bar's role in American society. Martin Perlberger has been the effective Chairman of the Continuing Legal Education Committee of the Section.

5. We emphasized during the year another important project in the public interest area, as a long-term initiative where impact may be felt not only by this generation but by future generations. I refer to the dispute settlement project with the Canadian Bar Association. A draft report, agreed to by the Working Group of both bar associations, was published this summer. Section committees are addressing the issues, and we hope to finalize the report in early 1979. Thereafter, our completed proposal will be submitted to the two bar associations for approval, and in turn be submitted to the two governments for action. I shall appear at a program dealing with the draft report at the annual

meeting of the Canadian Bar Association on August 28, 1978, to be held at Halifax, Nova Scotia. Professor Louis Sohn deserves the special thanks of all of us for his work in the drafting of this report.

The foregoing comments are made with respect to our stated goals and the extent to which we attempted to achieve them. However, there are other items which should be mentioned.

### **Other Activities**

First, the Section's trip to the People's Republic of China, which had been pursued for several years, is now becoming a reality. A Section delegation of 24 persons will leave in November. Additionally, as a result of initiatives by the Section, a delegation headed by former ABA President Wm. B. Spann, traveled to China in July. His visit has broken the ice in the relationship between the American Bar Association and the appropriate authorities in the People's Republic of China. For these achievements, we are grateful to Section leaders Gerald P. Lepp and Charles R. Norberg for their efforts.

Our recommendations to the House of Delegates have had considerable success. At the ABA Midwinter Meeting, the International Law Section presented three resolutions for House of Delegates' consideration which was more than any other Section. All of our resolutions were approved.

Specifically, the Section's proposal for an international criminal court, which had previously been rejected, was reconsidered by the House and approved unanimously. This proposal was shepherded by Walter Hoffman, working with Virginia Mueller. The Section's recommendation of a U.S. initiative for a dispute settlement procedure under Gatt to cover trade disputes was adopted. So was a Section proposal favoring U.S. accession to the Inter-American Convention on Commercial Arbitration. The Section's resolution on the two Panama Canal treaties was withdrawn from the House of Delegates' calendar, after events had overtaken us in the U.S. Senate. However, the Section's recommendation and report was submitted to the Senate Foreign Relations Committee and made a part of that committee's proceedings considering the Panama Canal Treaties.

At the New York Annual Meeting, the Section's resolution on foreign boycotts was passed. Additionally, we resubmitted the Racial Discrimination Convention for House of Delegates' consideration and House action was favorable. Judge Edward Re is to be complimented on a job well done in his representation of the Section in the House of Delegates. Edison Dick has also been very helpful in many ways in our dealings with the House of Delegates.

Our finances are in good order; budget officer Anthony Sarabia has seen to that. Marilyn Neforas, ABA staff liaison, deserves recognition for the excellent job she is doing.

Revenues projected for the year ended August 31, 1978, were \$146,000. As of June 30, 1978, \$169,000 had been received and it is anticipated that revenues for the year will exceed \$175,000, due mainly to membership increase and excellent publication sales. Expenses have been well within budget.

Our publications program under Joseph P. Griffin has been highly successful both financially and in terms of impact. Revenues received as of June 30, 1978, amount to \$31,000. Books published during the year included:

1. *Current Legal Aspects of Doing Business in the European Economic Community;*
2. *Current Legal Aspects of Doing Business in Japan and East Asia;*
3. *Career Opportunities in International Law;*
4. *International Court of Justice Opinion Briefs;*
5. *Proceedings of National Institute on Human Rights Law and Practice;*
6. *Report on the Regulation of Foreign Lawyers.*

An Ad Hoc Committee on the Year 2000 was appointed to identify and recommend to the Section certain long-range goals to be accomplished. This is being chaired by Ewell E. Murphy, Jr. with Dean Rusk, Monroe Leigh, Victor Folsom, William D. Rodgers and Benjamin Busch as the other members. To prepare a history of the Section in anticipation of our fiftieth anniversary in 1983 two Section historians were appointed, namely, Victor Folsom and Max Chopnick.

### **Special Acknowledgements**

Throughout the year I have had a great deal of help from many Section leaders. By way of example, from Don Wallace, Jr. and Dana Ackerly on the Panama Canal Treaties; from Lyon Brinsmade, in our preparation for the Section's Midyear Meeting in Austin, Texas; from Leonard J. Theberge, for his fine planning for our Spring Meeting; from Gerald Aksen for an outstanding Annual Meeting; from Bruno Bitker, as always, the Section's catalyst on human rights matters; from Sean McMillan, who has seen to it that we have followed a straight and narrow course in complying with our rules and regulations.

I want to thank Arthur T. Downey and Gerald Aksen as well as Don Wallace, Jr. for their interest and participation in the Canadian project. Norman Ramsey, our liaison with the Board of Governors, has been a constant source of help and guidance in our relations with the American Bar Association organization itself and its power structure. James Haight, a former Section Chairman, has given wise advice and counsel when I needed it.

Edison Dick has performed well as attorney-liaison this year. I relied heavily on him, and he came through whenever needed.

## **The Section's Future**

What about the future of the Section from the standpoint of a retiring chairman?

We live in a changing world. Change is a fact that few would challenge, and we need to respond to it. This means that we not only need to do the things we do well but we need to be innovative and creative and to anticipate change. We need vision and we need to see the world around us as it is and it will be in the future. We have to look ahead and over the hill. We have to take the long view and not be consumed by the immediacy of events. We have to try to mold the world of the future rather than just respond to it. We have to try to shape it as we think it ought to be. We need to act rather than react.

We have a broad constituency but we need to make it even broader to build it in terms of strength and impact. We need to strengthen the voice with which we speak.

We cannot overlook the fact that the organized bar has been under fire, not only from the President of the United States but from others, for its narrowness and lack of vision. There is in fact some basis for these challenges but we can go a long way toward responding to them if we broaden our horizons and take initiatives which benefit the general public and not only ourselves. We have great potential and strength in this area and we need to fulfill it. We should, of course, continue to do the things we do so well, such as our institutes which are the lifeblood of our Section. We must continue to disseminate information, and to follow and act on legislation which affects us and the world in which we work professionally. But we need to do something more—we need to tithe to some extent for the public at large.

At the risk of being prolix, I have engaged in a little stock-taking today. This is an important year in the history of the American Bar Association. It is the 100th anniversary of the Association. I am confident that with vision we can look forward to another century in which our accomplishments of the first 100 years will be exceeded.

I hope that this year has been written large in the annals of our Sections. I want to thank you all for making it the successfully innovative year that I believe it has been. It certainly has been a year of great satisfaction to me.

Henry T. King, Jr.,  
Chairman

August 1978

