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Review of “Cases and Materials on World Law,” By Loius B. Sohn

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of details in specific instances of their actual enforcement. The requirements of due process are tested not only against the constitutional guarantees but also in the light of higher standards of fairness which the government could well adopt even toward applicants for employment. Realistically considered, a denial of "clearance" is often as fatal to a young scientist as a dismissal for loyalty reasons can be for a long-time employee. The author recommends that the present procedure whereby the Atomic Energy Commission denies any hearing to applicants for clearance, should be revised to afford them some opportunity to be heard. Other procedural improvements suggested concern the disclosure to the employee affected of more detailed charges and, whenever possible, of the source of the evidence against him.

One of the main theses of the author is that security and loyalty are basically different and that:

the security program involves persons in whom we wish to have the fullest confidence because of the nature of their responsibilities. . . . when we withhold "security clearance" we make no finding that otherwise an undesired event will surely come to pass; we merely find that there is an undesirable *possibility* and we seek to avoid even the possibility, let alone the actuality. But the loyalty program is differently oriented. It deals neither with "sensitive agencies" nor with "sensitive jobs."

Gellhorn urges that disloyalty should be proved by conduct rather than through opinions or "sympathetic associations," and that "security clearance" be required only as to "sensitive" jobs to be designated by the head of the agency. "Effectively, if unintentionally, the focus upon opinion as a measure of loyalty tend to discourage the holding of any opinion at all."

This book, which is part of the Cornell Research in Civil Liberties project directed by Professor Robert Cushman, is a credit to the project and to the Rockefeller Foundation which provided the necessary grant. It is as well informed as it is courageously provocative. Walter Gellhorn has made an important contribution to crucial issues of these critical times, which perhaps do not admit of any clear cut and all-embracing solution, but which require the watchful attention of our best lawyers and scientists, lest protective devices become more costly than the risks and dangers they are intended to ward off.

Paul B. Rava*

CASES AND MATERIALS ON WORLD LAW. By Louis B. Sohn. Cambridge, Mass.: The Foundation Press, Inc. 1950. Pp. xxii, 1363. \$8.00.

International legal study has received much prominent consideration since the end of World War II. Many law schools are placing "International Law" on their curriculum for the first time and others are making it a required course in lieu of the more usual "option." Not only in law schools is the growth of international study evident but many universities now offer a wide range of courses in the field of international affairs and relations. The increased interest is due, in no small measure, to the

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general feeling that such study, although not of the "bread and butter" variety, will leave its mark in training future citizens to have a better understanding of international problems and their solution in the quest for a permanent peace.

However, the methods and approaches of presenting to students such a manifestly broad field of study are far from consistent and the purposes to be achieved far from uniform. Should the purpose of the lecturer be to attempt to cover a large range of history, economics and contemporary politics or should the students be confined to the study of strict international legal rules, such as they are? Again, should the method utilized require the student to gain his knowledge from the conventional textbooks, or approach the study from the prevalent "case" method or, possibly, be made to grapple with a mass of material in the solution of a presented problem? These are a few of the problems now facing lecturers in this field. Thus, though all will agree that international legal study in some form is desirable, there is little agreement as to what and how it is to be taught.

The approach of Professor Sohn's "Cases and Materials on World Law" is the presentation of "raw materials" relative to the constitutional law of the world community so that law students are provided with an opportunity for the development of "special skills," and yet "do not require from other students that knowledge of procedural and other private law techniques which makes the study of most legal subjects so difficult for them." In employing this approach or method, Professor Sohn has made an excellent selection of decisions and advisory opinions of the international courts, committee reports and discussions and declarations of the General Assembly, etc. These materials are organized into ten chapters, with an appendix containing a very complete compilation of the basic documents of the international organizations. The chapters are so designed to observe the growth of these organizations from their legal, social, economic and political aspects, and it is evident that they are not only arranged for strictly legal study. The political scientist will find ample material for his particular problems in the materials on the composition, voting powers and functions of these international bodies. The sociologist and the economist will find the chapters on the "Rights and Duties of States," "Economic and Social Council," and "Non-Self-Governing Territories," of particular interest. The lawyer will have his opportunity to develop "special skills" with special reference to the materials contained in such chapters as those entitled "International Courts, Arbitration and Conciliation," the "General Competence of International Organizations" and "Membership in International Organizations." Of particular value, he will be required to interpret the trend of world law from other material than legal precedents. He should thus observe its growth from both its legal and political aspects. Finally, it may be mentioned that, due to the variety of selection and excellent bibliographical notes, "Cases and Materials on World Law" is adaptable to any method of teaching, whether the lecture, socratic or problem method be employed.

As for Professor Sohn's purpose in studying international law through

the evolution of international organizations, it is a particular branch of international law and, possibly at the moment, more in the realm of political science than law. But that this study is just as important is trite to say. The future of international law is dependent on the strength of international organization and the sanctions that it brings. The legal rules themselves are dependent on the political institutions which make and observe them. It is thus a study in international constitutional law and hardly an introduction to the subject. A student being so introduced by this book will find himself buried under a mass of, at first glance, irrelevant and disconnected material. Although it does clearly show the relation between this branch of the law and international rules, considerable basic work is necessary to draw a connecting link between them. However, Professor Sohn has admirably simplified the task by his copious notes and the references contained therein.

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