

CURRENT NOTES

IN MEMORIAM: GEORGE GRAFTON WILSON

George Grafton Wilson, Nestor of the American Society of International Law, died at Cambridge, Massachusetts, on April 30, 1951. A teacher all his life, he exemplified to students for 60 years Aristotle's characterization of the teacher as one of the "golden men." No one in the last half-century has guided as many persons into the ways of international law, or had as continuous an influence upon its content. He had entered his 89th year, having been born at Plainfield, Connecticut, March 29, 1863.

Wilson was the last survivor of the group that originated the American Society of International Law at the Lake Mohonk Conference on International Arbitration. On June 2, 1905, on a proposal by George W. Kirchwey, a group of 21 adopted a report to establish the American Society of International Law and to issue a journal as its organ.¹ Oscar S. Straus was named Chairman and James Brown Scott Secretary. The other signers were David J. Brewer, George Gray, John W. Foster, Andrew D. White, Jacob M. Dickinson, James B. Angell, W. W. Morrow, John W. Griggs, John Bassett Moore, Theodore S. Woolsey, Leo S. Rowe, Everett P. Wheeler, Robert Lansing, Chandler P. Anderson, Charles Henry Butler, Joseph H. Beale and Charles N. Gregory. The next year the Society was under way and at its first annual meeting April 19-20, 1907, there were over 400 members. The *JOURNAL* began publication in 1907, with Wilson as one of its editors. He succeeded Scott as Editor-in-Chief in 1924 and for 19 years guided the *JOURNAL* until in 1943 he resigned to become Honorary Editor-in-Chief.

As a college teacher Wilson's career extended from 1891 to 1943, over a half a century. He received an A.B. degree at Brown University in 1886, was school principal at Groton, Connecticut, in 1887, took the Brown A.B. in 1888, was principal of the Rutland, Vermont, high school in 1889-90, studied at Heidelberg, Berlin, Paris and Oxford in 1890-91 and was awarded his Ph.D. at Brown in 1891. He joined the Brown faculty as associate professor of social and political sciences that year and became professor in 1894. In 1908 he began giving courses in international law at Harvard College, where he became professor of international law in 1910 and emeritus in 1936. He was professor of international law at the Fletcher School of Law and Diplomacy from 1933 to 1937 and a special lecturer until 1943.

It was Wilson who gave form and substance to the training of naval officers in international law at the Naval War College at Newport. Freeman Snow of the Harvard faculty started a series of lectures there in 1894 and

¹ See Proceedings of the Society, 1907, p. 23.

died before the course was finished. His manuscript and notes were put into a book by Charles H. Stockton, then a commander, and a second edition of this *International Law; a Manual based upon Lectures delivered at the Naval War College* was issued in 1898, immediately after the Spanish-American War. The sporadic lectures at the Naval War College were taken over by Wilson from John Bassett Moore in 1900, and for nearly four decades, until 1937, Wilson's annual volumes of *International Law Topics* or *Situations* bore the imprint of the Naval War College. The 7,000 pages of the Naval War College brochures constitute Professor Wilson's major contribution to international law. Occasionally these were documentary compilations, but every volume was intended to provide the naval officer, at home and alone in foreign ports, with precise answers to problems he might face. A typical volume ran to 200 pages and posed six to eight questions. The precedents, regulations and instructions were applied to the hypothetical facts and their solution recorded. The result was a series of monographs superior in form and definiteness.

The topics were not academic. I remember dropping into Wilson's office when he was reading in *Foreign Relations, 1905*, the Japanese ordinance on "defense sea areas." We discussed the ordinance to the offhand conclusion that a navy at war had about the same right to proclaim a strategic area on the high seas as municipal authorities might to close a street temporarily with signs of "men working." In *International Law Situations, 1912* "Strategic Areas on High Seas" concludes that the commander of a United States cruiser should decline to escort a merchant vessel through a high-sea area proclaimed by a belligerent and should advise its master to keep clear of the area as warned by a cruiser of the belligerent. During the war of 1914-18 such areas were set up and in 1939 the "Neutrality Act" identified "combat areas," while now the Inter-American Treaty of Reciprocal Assistance reverses the device and proclaims a hemispheric area to be defended.

Wilson was an educator in the natural sense of the word—he drew out his students with the deft wisdom of a quiet umpire. Few who were exposed to his classroom technique failed to think, and many formed there habits of active cogitation and cognition that lasted a lifetime. For many years three hours a week in the first course were divided as two lectures and one hour's discussion of a problem applying the principles divulged in the lectures. Current events were frequent subjects taken up in the classroom, sometimes involving the solution of a problem in the news, sometimes an analysis of positions taken in current diplomacy. Another feature of his teaching was a "clipping thesis," requiring close following of the news to see to what extent the rules under study related to the run of events.

The method was semi-Socratic, with all hands participating and the professor quizzically watching an argument that fell short of debate. Usually the class arrived at their own conclusion, but if Mr. Wilson had occasion to

rule, the pronouncement was clear and impeccably sound. He thought much, weighed facts carefully, and matured conclusions conscientiously. He would have been better, but not more favorably, known had he jumped into, and vocalized promiscuously during, the crusades that littered the decades of his activity, as some of his contemporaries did. His judicious mind avoided controversy, and his conclusions were implicit with wisdom and a high sense of balance.

His writing was better than it looked, uncluttered by philosophical complications and simply expressed. Almost any paragraph could be blown up into a monograph. I did 30,000 words on the violation of treaties thirty-five years ago and at the end found that I had only supported 300 words of his with analysis and incidents. It was from Wilson that came the concept of a scholarly paragraph being of so fine a texture that it could be expanded into an article or monograph without more distortion than a film frame receives in projection on the screen. The cogency of his writing was probably affected by the precision of his work at the Naval War College, but it was also due to diligence. For two score years you could find Wilson in his office any time from 9 a.m. till 10 p.m., though his iterated plaint was that "they build the nights so close to the mornings these days." At any moment he was available for advice or consultation.

The teacher in Wilson lay behind two volumes. In 1901 with George Fox Tucker he did the textbook, *International Law*, which went into a 10th edition thirty-six years later. In 1910 he published the Hornbook Series volume, *Handbook of International Law*, which saw a third edition in 1939. Though unpretentious, these works were the basis of his teaching, supplemented by a reserved list of other writers, and literally hundreds of teachers throughout the world owed and still owe their training to Wilson's application of those texts. His contributions to "Cyc," restating international law in terms of judicial decisions, put his subject-matter in the idiom of the municipal lawyer. Three of his early books were pioneering efforts, *Insurgency* (1900), *Submarine Telegraph Cables in their International Relations* (1901), and *L'Insurrection* (1902). He edited the centenary edition of Wheaton's *International Law*, published in the Classics Series in 1936. Another edited volume was *The Hague Arbitration Cases* (1915).

In addition to service at the Naval War College, Wilson's official work included that of plenipotentiary delegate to the London Naval Conference, where he and Louis Renault had great influence on the Declaration of London of 1909, and service as adviser to the American Delegation to the Washington Conference on Limitation of Armament, 1921-22. He settled with The Netherlands the account of the ships taken over by angary in 1917-18 at about a fourth of the cost per ton of the arbitral award in a like case. The instances for thirty-five years in which his advice or ruling kept naval feet out of sloppy seas are innumerable and unrecorded.

He was a member of the *Institut de Droit International* and long a di-

rector of the *Revue de Droit International*. He was breveted with the LL.D. in 1911 by Brown University and the University of Vermont and in 1937 by the University of Hawaii. The main dormitory and commons of the Fletcher School of Law and Diplomacy is Wilson House, and to the school he gave his large library on international law in 1946.

DENYS P. MYERS

FORTY-FIFTH ANNUAL MEETING OF THE SOCIETY

The Forty-Fifth Annual Meeting of The American Society of International Law took place at the Hotel Washington in Washington, D. C., from April 26 to April 28 last. The general theme of the meeting was the position of the United States in world affairs, with special reference to international conventions. The meeting opened on Thursday afternoon, April 26, under the chairmanship of Dr. Charles G. Fenwick of the Pan American Union, with a discussion of United States constitutional issues raised by the American position in international affairs. The Honorable Adrian S. Fisher, Legal Adviser of the Department of State, delivered an address on "Executive Powers in Foreign Relations," with particular reference to the President's powers as Commander-in-Chief of the armed forces. Professor Charles E. Martin of the University of Washington discussed "Presidential Discretion in World Affairs through Executive Agreements," pointing out the distinctions between treaties and executive agreements and the presidential powers in relation thereto. Mr. Francis O. Wilcox, Chief of Staff of the Senate Committee on Foreign Relations, spoke on "The President's Authority to Send Armed Forces Abroad," particularly in connection with the obligations assumed by the United States under the North Atlantic Treaty.

President Manley O. Hudson formally opened the meeting on Thursday evening with an address on "The Common Interpretation of the Mandates of International Law," in which he reviewed the progress of the past half-century in developing international organs for the interpretation and application of principles of international law, and emphasized the achievements of the World Court first established in 1920 and continued under the United Nations Charter of 1945. Following the Presidential address the Honorable Christian A. Herter, Member of Congress, delivered an address on "The Relation of the House of Representatives to the Making and Implementation of Treaties."

The session on Friday morning, April 27, was devoted to a discussion of "The Legal Effect of Treaties in Municipal Law," Professor Edwin D. Dickinson of the University of Pennsylvania Law School presiding. Professor Alona E. Evans of Wellesley College read a paper on "Some Aspects of the Problem of Self-Executing Treaties." She was followed by Mr. Edgar Turlington of the District of Columbia Bar, who discussed "The