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EDITORIAL COMMENT

The American Society of International Law was founded in 1905, but it was not until 1906 that a definite organization was effected.

While the necessity of such a society was felt by many, no serious steps were taken until the summer of 1905. It occurred to some of the members of the Mohonk Lake conference on international arbitration, that a society devoted exclusively to the interests of international law as distinct from international arbitration might be formed and that the members of the Mohonk conference would supply a nucleus membership. Accordingly a call was issued to the members present at the conference and as the result of the call and meeting of those interested a committee was appointed with Oscar S. Straus as chairman and James B. Scott as secretary, to consider plans for a definite organization and for the publication of a journal exclusively devoted to international law as the organ of the Society. On December 9, 1905, a meeting of the committee was held at the residence of Oscar S. Straus in New York City, and as the result of favorable reports of the members present it appeared feasible to proceed immediately to the definitive organization of the Society. Accordingly a call was issued by the chairman for a meeting of those interested in international law and its populariza-

tion, to be held at the New York Bar Association, on Friday, January 12, 1906.

At this meeting it was decided to organize upon a permanent basis a society of those interested in the spread of international law with its ideals of justice and therefore of peace; a constitution was adopted; officers were elected and the Society took its place, it is hoped, permanently among the learned and influential societies of the world.

The aim and scope of the Society as well as its internal organization will sufficiently appear from the prospectus and constitution which are here printed in full:

PROSPECTUS

THE AIM AND SCOPE OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW

From the very beginning of our national existence the people of the United States have been keenly interested in the common law of nations. In an ordinance of 1781, passed before the recognition of Independence, Congress professed obedience to the laws of nations "according to the general usages of Europe," and in the act of admission to the family of nations the new republic recognized International Law as completely as International Law recognized the new republic. Nor was this formal acceptance of International Law the passing fancy of the moment. The Constitution of the United States proclaimed it as an existing system and solemnly conferred upon Congress the power to punish "offenses against the law of nations." It is therefore the law of the land by Constitutional enactment, as well as by the necessities of the case, and the general government as well as courts of justice have invariably and unhesitatingly declared that "International Law is a part of our law, and must be ascertained and administered by the courts of justice of appropriate jurisdiction as often as questions of right depending upon it are duly presented for their determination." (*The Paquete Habana*, 1899, 175 U. S., 677, 700.)

If it be borne in mind that the course of recent events has not only given to our country a more prominent and influential position in the family of nations than it had previously enjoyed, but has brought government and people into closer and more intimate relations with the Spanish-American states in the western world and the peoples of the eastern, it is at once evident that Government and people are fundamentally and constitutionally interested in International Law, and that a correct understanding of the system as a whole is an essential element of good citizenship.

Thus to state the problem is to prove it and to make manifest to the American people the fundamental importance of a correct understanding of those principles of International Law which our country is called upon to observe in its foreign relations, and to administer as municipal law in our domestic tribunals. The establishment of new and more effective agencies to promote the study of these principles and to extend their influence at home and abroad is a duty incumbent upon enlightened citizenship.

Profoundly impressed by these considerations, the American Society of International Law was organized at New York on the twelfth day of January of the present year, and it is believed that the influence of an association of publicists and others organized to represent these interests of our people would count for much in the formation of a sound and rational body of doctrine concerning the true principles of