

## EDITORIAL COMMENT

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EDGAR TURLINGTON

1891—1959

It is inspiring to recognize, in the field of public international law and relations (as in other fields of knowledge) a workman who combines sound scholarship with demonstrated ability as a practitioner, outstanding public service, and an exceptionally winning personality. Such a workman was Edgar Turlington, whose passing means a great loss to the American Society of International Law and to other professional groups in which he was an active participant.

Born in Smithfield, North Carolina, Edgar Turlington was educated at the University of North Carolina and later, as a Rhodes scholar, at Oxford University, where he received the M. A. and B. C. L. degrees, with honors in jurisprudence. After two years as an instructor at the University of North Carolina, he joined the Department of State as a special assistant in 1918, and in 1920 became an Assistant Solicitor of that Department, serving in this capacity until 1925. Later he was, for some months, Assistant Chief of the Division of Near Eastern Affairs in the Department of State. Among his special assignments was one as legal adviser to the American Delegation to the Conference on Near Eastern Affairs in 1923. In the same year he went to the city which was then Constantinople as legal adviser to the American High Commissioner.

From 1925 to 1928 he was a research associate at Columbia University and was connected with the Committee on Research in Latin America. From 1928 to 1930 he served as special counsel with the United States Agency for the United States-Mexican Claims Commissions. He became legal adviser to the American Ambassador to Cuba and served in this capacity from 1930 to 1932. He was the American member of the United States-Mexican Joint Commission established under the Convention between the two countries signed April 24, 1934. Still later (1935-1938) he was Chief Counsel to the Special Mexican Claims Commission.

As a practitioner Mr. Turlington was a member of the Alabama Bar, District of Columbia Bar, and the Bar of the United States Supreme Court. From 1940 to 1945 he was a member of the firm of Roberts and McInnis and from 1947 to 1953 a member of the firm of Peaslee, Turlington and Cowles. He was Chairman of the Section on International and Comparative Law of the American Bar Association in 1945-1946. In 1953 he became Legal Adviser to the Government of Ethiopia and lived in that country for two years. At the time of his death he was Director of the Staff of the American Bar Association Committee on World Peace Through

Law, and was actively engaged in the program of regional meetings held by the Committee throughout the United States.

Elected to the Board of Editors of the *AMERICAN JOURNAL OF INTERNATIONAL LAW* in 1942, and elected a Vice President of the American Society of International Law in 1958, Mr. Turlington made notable contributions to the literature on international law. In the last two years of his life he served most effectively as chairman of the Society's committee on self-examination, in spite of the fact that his professional work necessitated his being in England for a large part of 1957. The impetus given to the Society by his report seems likely to be felt increasingly.

Mr. Turlington's academic connections included his services as acting professor of history and international relations at Clark University in 1932 and at a later period a lectureship at Georgetown University. He also lectured at the Inter-American Academy of Comparative and International Law at Havana in 1950.

Among his publications were a volume on *Mexico and Her Foreign Creditors* (1930), and *Neutrality: The World War Period* (1936), both widely used as authoritative reference works.

Aside from his technical skill, Mr. Turlington enjoyed the esteem of members of his profession by reason of his general intellectual qualities, his constructive outlook, and his warm friendliness. He will be remembered, not only for his technical contributions to his profession and to his country, but also for the engaging personality that made him at all times a welcome and helpful associate.

ROBERT R. WILSON

#### THE QUESTION OF LAOS AND THE DOUBLE VETO IN THE SECURITY COUNCIL

The Security Council, which for many years has been remarkable as the most inactive among the principal organs of the United Nations, adopted on September 8, 1959, a draft resolution jointly sponsored by the United States, the United Kingdom and France, the text of which is as follows:

The Security Council

Decides to appoint a sub-committee consisting of Argentina, Italy, Japan and Tunisia, and instructs this sub-committee to examine the statements made before the Security Council concerning Laos, to receive further statements and documents and to conduct such inquiries as it may determine necessary and to report to the Security Council as soon as possible.<sup>1</sup>

The vote on the resolution was 10 in favor, 1 against, and no abstentions. The President of the Council, the representative of Italy, declared "therefore the draft resolution is adopted."<sup>2</sup>

Preceding and following the vote, which the Soviet delegate considered as invalid because it was contrary to the Charter, the Four-Power Declaration

<sup>1</sup> U.N. Doc. S/4216, Sept. 8, 1959.

<sup>2</sup> Security Council, Doc. S/P.V. 848, Sept. 7, 1959, p. 78. Voted in favor: Argentina, Canada, China, France, Italy, Japan, Panama, Tunisia, United Kingdom, United States; voted against: U.S.S.R. *Ibid.*