

be established to stand ready to lend its assistance should the direct negotiations not succeed or should obstacles arise during the course of them. On going to press, it appears that the Bolivian and Paraguayan answers to this proposal have not been made public, and that the proposed commission for the use of good offices has not been established.

It would seem, therefore, that the main obstacle to arbitration of the boundary dispute is still that Bolivia desires limited arbitration in that the zone to be arbitrated should be first agreed upon between the parties, whereas Paraguay prefers unlimited arbitration, that is, arbitration not only of the extent of the disputed territory, but of its sovereignty as well. This divergency of view between the two governments is confirmed by the recent utterances of their respective officials as reported in the press during the month of November. While such an attitude is of course within the right of each government to maintain, if it choose, yet it is an attitude which, if persisted in, will never lead to arbitration or other amicable settlement. Thus it would seem to be a case where the use of good offices not only should be respectfully proffered by a neutral Power or group of Powers, but should be cordially received by the disputants, in order that a common ground of arbitration may be arranged.

L. H. WOOLSEY.

THE NEW YORK SESSION OF THE INSTITUT DE DROIT INTERNATIONAL

The Thirty-Sixth Session of the *Institut de Droit International*, held under the Presidency of James Brown Scott, at Briarcliff Manor, from October 10 to 18, 1929, was a memorable event. It was the first time the *Institut* had ever assembled in the New World. It was memorable for the results achieved in its week of assiduous labors. It was memorable because of the large attendance of sixty members representing many different nationalities and diverse schools of jurisprudence. The American members present were the honorary members of the *Institut*, Hon. Elihu Root and Hon. John Bassett Moore; Edwin M. Borchard, Philip Marshall Brown, Frederic R. Coudert, Hon. David Jayne Hill, Charles Cheney Hyde, George Grafton Wilson, and James Brown Scott.

The opening session was honored by the presence of Mr. Root, who presided with impressive dignity and expressed in his graceful introductory remarks most clearly and eloquently the elevated mission of the *Institut*. A formal welcome was extended to the members of the *Institut* by President Nicholas Murray Butler on behalf of the Carnegie Endowment for International Peace, whose generous subvention made possible this session in America.

The session was also memorable because of the Fourth Conference of Teachers of International Law and Related Subjects, held simultaneously at Briarcliff Lodge by invitation of the Division of International Law of the

Carnegie Endowment for International Peace. Various members of the *Institut* participated in the stimulating discussions of the conference, which was ably presided over by Professor Borchard, of Yale, and was attended by over a hundred teachers and authorities in these fields of knowledge and investigation.

The following resolutions were adopted as the result of lengthy and intense discussions, which were in French, and were held both morning and afternoon throughout the week at Briarcliff: Declaration of the International Rights of Man, M. Mandelstam, *Rapporteur*; The Juridical Status of Corporations (Sociétés), MM. Asser and Streit, *Rapporteurs*; The extension of Compulsory Arbitration, M. Borel, *Rapporteur*; The Compulsory Arbitration Clause in Conventions of International Private Law, M. Strisower, *Rapporteur*; Declaration concerning the Codification of International Law, MM. Alvarez and de Lapradelle, *Rapporteurs*; and Diplomatic and Consular Immunities, Mr. Hill, *Rapporteur*.

All of these resolutions are of importance and merit consideration, but it may be permitted to single out the Declaration of the International Rights of Man as being of unique significance. This declaration drew its inspiration chiefly from American sources and contains intrinsic evidence of its American workmanship. It states in bold and unequivocal terms the rights of human beings, "without distinction of nationality, sex, race, language and religion," to the equal right to life, liberty and property, together with all the subsidiary rights essential to the enjoyment of these fundamental rights. It aims not merely to assure to individuals their *international* rights, but it aims also to impose on all nations a standard of conduct towards all men, *including their own nationals*. It thus repudiates the classic doctrine that states alone are subjects of international law. Such a revolutionary document, while open to criticism in terminology and to the objection that it has no juridical value, cannot fail, however, to exert an influence on the evolution of international law. It marks a new era which is more concerned with the interests and rights of sovereign individuals than with the rights of sovereign states. It is specifically concerned with the status and rights of those who, like many Russians, may be in the unhappy state of being, not merely *heimatlos*, but also proscribed by their country of origin. It is of curious interest to note that this Declaration of the International Rights of Man was adopted on October 12, 1929, the 437th anniversary of the discovery of America, by a very large majority of the members of the *Institut*. It may be considered, in a sense, as an expression of homage by the *Institut* to the New World for its contributions to the liberal development of international law.

The *Institut* voted to refer back to various commissions certain subjects which required further study and time for deliberation. It voted to suppress five of its permanent commissions, namely: the Tenth Commission on The Compulsory Arbitration Clause in Conventions on International Private Law; the Eleventh Commission on Conflicts of Laws respecting Internal

Navigation; the Fifteenth Commission on The Extension of Compulsory Arbitration and the Compulsory Jurisdiction of the Permanent Court of International Justice; the Nineteenth Commission on the Juridical Status of Corporations in International Law; and the Twenty-third Commission on Aërial Warfare. The *Institut* also voted to place on its agenda the consideration of the following new subjects: the Recognition of New States and Governments; the Conclusion of International Treaties; the Effects of the Most-favored-nation Clause; Revision of the Resolutions of Munich (1883) regarding Conflicts of Penal Laws with respect to Jurisdiction; the Juridical Effects of Changes in Territorial Sovereignty; the Diplomatic Protection of Nationals Abroad; the Sources of the Law of Nations; and the Juridical Basis for the Conservation of the Riches of the Sea.

The *Institut* voted to have its next Session at Cambridge, England, in the summer of 1931. Professor A. Pearce Higgins, of Cambridge, was elected President.

After the completion of their arduous labors at Briarcliff Lodge, the members of the *Institut* entered upon a round of social activities. These included a dinner by the Trustees of the Carnegie Endowment for International Peace in New York, a dinner by Hon. George W. Wickersham, President of the University Club of New York City, a luncheon at New York University, a reception and tea at Columbia University by President and Mrs. Butler, a reception by the Association of the Bar of the City of New York, a visit to Princeton University where they were welcomed by President John Grier Hibben, a luncheon at the home of Professor and Mrs. Brown in Princeton, a visit to Philadelphia, and a visit to Washington. A special visit was paid to Mount Vernon and to Arlington Cemetery where a wreath was placed on the grave of the Unknown Soldier. President and Mrs. Hoover paid the *Institut* the signal honor of a reception and tea at the White House. The Governing Board of the Pan American Union offered a buffet luncheon to which the members of the diplomatic corps in Washington were also invited.

The members of the *Institut* and their families sailed for Europe October 26, having been the guests of the Carnegie Endowment for International Peace from the moment they sailed from Cherbourg on the *S. S. George Washington* until their return on the *S. S. America*. They left in America most agreeable and memorable impressions. It is confidently to be hoped that their visit cannot fail to exert a most favorable influence for a better understanding between the peoples of the New World and other nations, and for the generous advancement of the law of nations.

PHILIP MARSHALL BROWN.

THE FOURTH CONFERENCE OF TEACHERS OF INTERNATIONAL LAW AND RELATED SUBJECTS

The Fourth Conference of Teachers of International Law and Related Subjects met at Briarcliff, October 10-17, 1929. At the time the third con-