

Whether one invokes full faith and credit or comity, the minimum and maximum enforcement of "foreign" law (both interstate and international) should be based upon an analysis of *reasonable expectations*.

Of course, this is not meant to deny that, on occasion, the internationalness of a legal controversy may be a differentiating factor. But it is a matter of degree that can be embraced within a unified method that does not build into its structure the kind of artificial and provincial distinctions based upon national boundaries that would result from Professor Ehrenzweig's advocated partial segregation.

Let me end by saying, as a perhaps belated gesture of humility, that Professor Ehrenzweig has written a book of sufficient stature that its solid scholarly achievements are a bulwark secure against, and in a sense beyond, the cavil of its critics. Its place as a reference text appears to be assured for the foreseeable future.

RICHARD A. FALK†

THE USE OF INTERNATIONAL LAW (The Thomas M. Cooley Lectures). By Philip C. Jessup. Ann Arbor: The University of Michigan Publications Distribution Service, 1959. Pp. xiii, 164.

REFLECTION is the process whereby one casts back his eyes and thoughts over the occurrences of the past. Actually, it is an indispensable exercise, for progress can only be made by noting both the accomplishments and the errors of the past. Through an artful reexamination of important parts of the traditional body of international law, its past application, and by commenting on its future potential, the five lectures which Philip C. Jessup delivered in the Cooley Lecture Series at the University of Michigan Law School in the spring of 1958 fulfill the need for periodic reflection. These have now been published in one volume entitled *The Use of International Law*.

Dr. Jessup's first four lectures contain a critical appraisal of important phases of international law. Initially he surveys the world at large and the components of today's "international community," with particular emphasis on its subjection to the law. One can easily grasp the import of his observation that the term "international community" should now be used to describe not only a large number of political entities enjoying varying degrees of political independence and economic self-sufficiency, but also the various collectivities or organizations in which those entities are grouped for certain purposes.<sup>1</sup>

In discussing a variety of procedures for the settlement of international disputes, Dr. Jessup in his second lecture concludes that the United States might well take the lead in convincing governments that submitting a case to the International Court of Justice is not an unfriendly act and that the persistence

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†Assistant Professor of Law, Ohio State University.

1. Pp. 20-26.

of an unsettled international dispute may be more disadvantageous than an adverse judgment.<sup>2</sup> His analysis of the optional clause of the Statute of the International Court of Justice is particularly interesting.<sup>3</sup>

The role of national courts and their relationship to the international legal order is the subject of the third published lecture in this series. Specific evidence of this role is presented through a discussion of selected cases before United States and British Courts. Dr. Jessup points out that while cases on nationality and the admission and deportation of aliens may be decided entirely on the basis of national law, the factual situations are of interest to international law because international claims may be involved.

In discussing the role of international courts in his fourth lecture the author comments on the various types of international tribunals and the problems that come before them. He is critical of the existing selection procedure for judges of the International Court of Justice; he suggests that all countries follow more closely the recommendation in article 6 of the Statute of the Court that each group should before making the nominations, "consult its highest court of justice, its legal faculties, and schools of law, and its national academies and national sections of international academies devoted to the study of law."<sup>4</sup>

Dr. Jessup concludes his final lecture with the sober observation that we have much to lose if law fails to keep up with science. His comments in this chapter range from the problems of interplanetary space to the purification of sea water.

This is a profound little book worthy of study not only by the academician but also by the practical lawyer. At no time in history has there been greater interest among practicing lawyers in the international legal field. In few short summaries will this interest find more of value than in Dr. Jessup's carefully prepared Cooley lectures.

CHARLES S. RHYNE†

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2. P. 61.

3. Pp. 46-59.

4. P. 127.

†Former President, American Bar Association; Chairman, ABA Special Committee on World Peace Through Law.