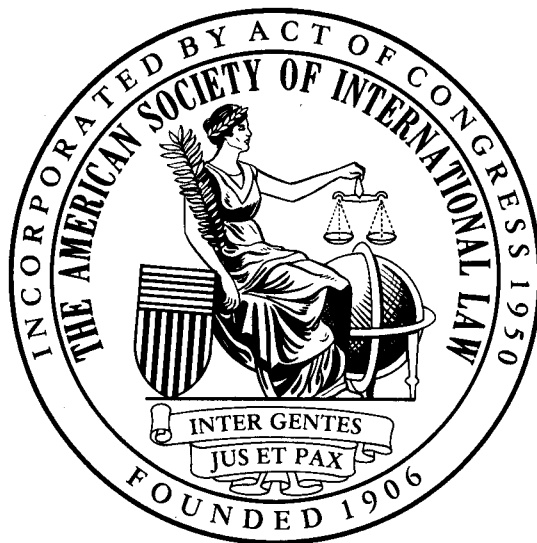


THE AMERICAN SOCIETY OF INTERNATIONAL LAW

PROCEEDINGS OF THE 85TH ANNUAL MEETING



WASHINGTON, D.C.
APRIL 17–20, 1991

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For more than a half century concerned with problems of international order and the legal framework for international relations, the Society serves as a meeting place, forum and collegial research center for scholars, officials, practicing lawyers, students and others. The Society is hospitable to all viewpoints in its meetings and its publications. Those publications include the American Journal of International Law, International Legal Materials, occasional papers and books (many of which are the product of the panels of the Society's Board of Review and Development). A Society membership exceeding 5000 is drawn from some 100 countries. Membership is open to all, whatever their nationality or profession. For information, please write to the Membership Secretary.

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INTRODUCTION

The 1991 *Proceedings* are the record of the Society's 85th Anniversary Annual Meeting. In recognition of the anniversary, the Program Committee adopted a theme for the meeting: "Law and the New World Order: Continuity and Change from an Eighty-Five Year Perspective." In keeping with this theme, panel Chairs were asked to include in their introductory remarks some reference to developments (if any) over the eighty-five year period 1906–1991 in the subjects under consideration.

To pursue the theme in the Introduction to these *Proceedings*, I looked back to the *Proceedings* of the Society's First Annual Meeting held April 19 and 20, 1907 in Washington, D.C. The President, Elihu Root, opened the meeting with the hope that it would "be the first of many meetings in unbroken succession to continue long after we personally have ceased to take part in affairs. . . ." He went on to describe the Society as a "*collegium*, in the true sense of the word, in which all who choose to seek a broader knowledge of the law that governs the affairs of nations may give each to the other the incitement of earnest and faithful study and may give to the great body of our countrymen a clearer view of their international rights and responsibilities."

In keeping with Mr. Root's mandate, the 1991 program includes a diversity of subjects which now properly find themselves considered at the Society's Annual Meeting and recorded in its *Proceedings*.

As with earlier *Proceedings*, this volume represents the collective and coordinated efforts of many individuals. The text of the *Proceedings* is the product of the collaboration of panelists, reporters, the *Proceedings* Editor and copyeditors. A representative and polished record of the meeting emerges from a process of review and comment throughout the stages of editing. This record is drawn from written papers, reporters' notes and transcriptions of taped remarks.

While the Society is grateful to all who contributed to the 1991 *Proceedings*, there are several individuals whose contributions I would like to acknowledge particularly. These are Virginia Cornett, who began work on these *Proceedings* prior to leaving the staff and whose considerable efforts in 1990 cleared up the Society's four-year backlog of *Proceedings*; Fred Donovan, who undertook portions of the copyediting; and Grant McClanahan, who prepared the Index.

Charlotte Ku
Administrative and Programs Director
October 1991

**PROCEEDINGS OF THE EIGHTY-FIFTH ANNUAL MEETING
OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW**

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