

Cases on

UNITED NATIONS LAW

LOUIS B. SOHN

University Casebook Series

**CASES
ON
UNITED NATIONS LAW**

Edited by
LOUIS B. SOHN

**Bemis Professor of International Law
Law School of Harvard University**

SECOND EDITION
(Revised)

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PREFACE

In the spring of 1950, the editor of this casebook published his first collection of materials on world organization, entitled *Cases and Other Materials on World Law*. In that earlier book an attempt was made to bring together the basic materials on the principal international organizations for the period from 1920 to 1950. While special attention was paid to the problems of the United Nations, a large proportion of materials related to other international organizations.

A completely revised version of that casebook was published in 1956 under the title *Cases on United Nations Law*. Unlike the previous volume, the new casebook centered on the work of the United Nations, and contained only incidental references to the work of other international organizations. It was no longer a general reference book on world law, but an introduction to the constitutional law of the United Nations. The new title indicated clearly this change in emphasis.

At the very moment at which the 1956 volume was published, the United Nations was faced with two great crises—Hungary and Suez—and made its first venture into “peace-keeping” through international military forces. The new tool was tempered in Lebanon and the Congo, and more limited versions were employed on several other situations. The problem of division of powers between the United Nations and regional organizations which first appeared in the Guatemalan Question in 1954 led to numerous conflicts after 1960. Finally, the constantly escalating situation in Viet-Nam presented the United Nations with a frustrating problem. In the meantime, the growth in United Nations membership to more than 120 Members, the dominance of the Afro-Asian group in the General Assembly and the financial crisis caused by the high expenses of the peace-keeping operations led to a change in the role of the Assembly and to a reconsideration of the distribution of powers between the various organs of the United Nations.

In order to take all these events into account, it proved necessary to revise the casebook completely. More than half of the casebook contains new materials. Old cases had to make room for new ones, and the scope of the casebook had to be further restricted. Several chapters in the old casebook have been completely omitted from the new one, and new emphasis has been placed on problems of the maintenance of international peace and security. It is hoped that a supplementary volume will be published later, dealing with matters for which there was no room in the present casebook.

PREFACE

Many of the old cases have been drastically revised to make them more "teachable." The number of notes has been greatly increased and selected bibliographies have been added to practically every case.

Those documents of the United Nations which are of a constitutional character and need to be resorted to frequently by anyone studying the principal cases are contained in a companion volume entitled *Basic Documents of the United Nations*. This arrangement facilitates simultaneous consideration of the text itself and of the materials which interpret it.

While the editor is solely responsible for the final product, he wishes to acknowledge the many helpful suggestions received from his colleagues and more than twenty "generations" of students. Most of the materials included in the new volume have been pre-tested in mimeographed form on several groups of students, and have been revised in accordance with their reactions.

The editor's thanks go also to the Secretariat of the United Nations which has generously furnished him with all the necessary documents.

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