Chapter Nine

BUILDING ON THE NEW FOUNDATION IN A TIME OF NATIONAL TURMOIL

I think it is the special quality of this Society that our emphasis on scholarship and discussion rather than on official public positions on specific issues permits a cosmopolitan breadth of approach in bringing about greater recognition of the legal component of international affairs and in broadening the general understanding of the many ways in which law and legal techniques may and should influence international policy.

—John R. Stevenson
Remarks, 61 ASIL Proceedings 232 (1967)

A. THE LIFE OF THE SOCIETY IN THE VIETNAM YEARS

1. The Second Executive Director

Stephen M. Schwebel embarked on his duties as Executive Director in March 1967. It was a time of national turmoil over the Vietnam War. Both the War and the turmoil would continue throughout his term as Executive Director, and would at times tear at the fabric of a Society dedicated to the maintenance of international relations on the basis of law and justice. The burden of keeping the Society on track as a non-partisan body devoted to that goal would fall heavily on Schwebel and the other leaders of the organization. For the most part, they succeeded.

Schwebel came to the Society from his post as Special Assistant to the Assistant Secretary of State for International Organization Affairs. He had served previously as an Assistant Legal Adviser of the State Department and as Legal Adviser to the U.S. Delegation to the U.N. General Assembly. In addition, he had experience as a private practitioner with White & Case and as a member of the

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Harvard Law School faculty. His credentials, in other words, very nicely reflected the gamut of interests and careers within the Society’s membership.

From the start, Schwebel availed himself of the revised Society Regulation permitting the Executive Director to do part-time teaching. The Executive Committee authorized him to devote about one-fourth of his time to teaching international law at the Johns Hopkins School of Advanced International Studies, in Washington. He did so, first as Professor of International Law and then as the school’s first Edward B. Burling Professor of International Law and Organization.

Richard Edwards, who served on the Society’s staff under both Chris Merillat and Steve Schwebel, remembers the two as being quite different. As we have seen, Merillat wanted to move away from a focus purely on classical international law; Schwebel had no problem with that approach, but was much more comfortable in the classical genre. As an administrator, Schwebel was more inclined than Merillat to seek and follow direction from the Executive Council. Schwebel was the more focused and organized of the two.

James A.R. Nafziger joined the Society’s staff as its first Fellow in 1969. He regarded Schwebel as the model administrator. He remembers Schwebel as “well-organized, somewhat formal but respectful of staff members, always setting a good example for us, and able to delegate authority to us so as to encourage creativity and a sense of responsibility. He had a superb internal system of communications that kept the staff routinely in close contact with each other … . Steve would consult on a regular basis with individual staff members, sometimes over the tea and Pepperidge Farm cookies his secretary, Betty Posniak, would serve him every afternoon.”

2. Terms of Employment at the Top

In April 1968, the Executive Council decided to tie the Executive Director’s salary to the salary of a GS-18 federal civil servant. Henceforth, if the GS-18 salary increased, so would that of the Executive Director.

Neither H.C.L. Merillat nor Stephen Schwebel had been offered a contract of employment when he became Executive Director. In February 1973, the Execu-