Part Six
The Use of Force and the World’s Peace
A. Introduction

In his 1931 lectures at the University of Idaho, Professor Manley O. Hudson advocated United States’ membership in the League of Nations. The host in whose name the lectures were dedicated – Senator William E. Borah – represented Idaho in the U.S. Senate, where he led the fight that kept the United States out of the League. In the best traditions of civility and scholarship, Senator Borah introduced Professor Hudson with grace and generosity, stating in so many words that the professor was a well-meaning fellow, entitled to his dangerously erroneous views.1 Professor Hudson responded in kind, praising Borah for his honesty of purpose, zeal, intelligence and influence, but refusing to “confirm the conclusions at which Senator Borah has arrived.”2

The gist of Hudson’s lectures was – and remains – uncontroversial. He argued that international law and institutions had become common and were providing useful services to states in the burgeoning fields of transnational commerce, health and safety, transport, and other areas of international activity.3 Borah had no argument with this proposition; as Chairman of the Senate’s Foreign Relations Committee he had helped ratify several important treaties that reflected his support for this trend.4 Hudson spent much of his professional life repeating this theme, which has been taken up by other international-law luminaries.5 The development of international institutions demonstrates that international law is

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1 William E. Borah, Remarks at the University of Idaho 6 (Sept. 24, 1931) reproduced in this volume.
2 Manley O. Hudson, Progress in International Organization 3-4 (1932).
3 Id. at 42, 89-91, 122.
4 Marian C. McKenna, Borah 219-25 (1961).