Mr. Holmer: The injury test will be removed; I am not sure, however, whether the industry test will be removed as well. The administration has taken a very hard position on this. In short, I do not see any reason to go easy on pirates.

Cynthia Day Wallace:* I would like to address my question to Mr. Holmer. My particular interest in the international business area is foreign direct investment, and I recently have been encouraged to learn from your colleagues at USTR that there is a move to try to have trade-related investment issues included on the GATT agenda. Could you report what success those efforts are likely to have, and second, could you elaborate on which trade-related investment issues have been identified as significant for the GATT talks?

Mr. Holmer: It is still at a somewhat preparatory stage. Certainly, we are going to push very hard to have investment included in the new round. It is our view that investment restrictions can be as trade distortive as tariff barriers or nontariff barriers. One of the items that is being looked at very closely relates to the whole question of export performance requirements; that is, where a company wishes to invest in a foreign country, and it is required to export a certain portion of the product that it produces outside that country.

Sandra F. Maviglia**

Do Present Public International Law Casebooks Meet Teaching Needs? The Teachers Comment

Richard Bilder*** convened the workshop at 11:00 a.m., April 12, 1986.

Remarks by Richard Bilder

The title of the workshop might sound humdrum, but in fact it is not, as anyone who ever has tried to teach international law knows. Selection of course materials is a crucial factor and raises important, complex and difficult questions that go to the heart of both the profession of teaching and of international law. Let me begin by listing four sets of questions, each of which encompasses a range of options and all of which are interrelated.

What is teaching? How can a teacher teach best? How can students learn best? There are many choices available: lecture, reading cases or other primary materials, reading texts or secondary materials, role play, solving hypothetical or real world problems.

Who are we trying to teach and why? Who is the audience? Lawyers who will actually work in international law; lawyers who won't work in international law, but study it from the comparative, jurisprudential or general interest perspectives; nonlawyers and undergraduates to help them understand important aspects of the world they live in in order to contribute intelligently to it.

*Senior Fellow, International Business and Economics Program, Georgetown University Center for Strategic International Studies, Washington, D.C.
**Detroit, Michigan.
***Professor of Law, University of Wisconsin.

Ed. Note: In general, casebooks will be referred to by the last names of the editors. A list of casebooks mentioned appears infra at p. 465.
What are we trying to teach? What is the subject matter of a public international law course? Rules or process; practical or theoretical approaches—if theoretical, what approaches (McDougal or realist); American or broader orientation—if the audience is American, shouldn’t it be a function to include other points of view?

What do we cover? What do we leave in? What do we leave out? The frustration here is to decide how to cover a whole legal system in a limited time-frame. The question then becomes one of whether to use a survey approach or to focus on a few areas to give some sense of the terrain.

These questions are fundamental to teaching, and I am still struggling with them. It is a particular pleasure to have Larman Wilson of the American University’s School of International Service on the panel. We need to bear in mind the importance of bringing the law and political science faculties closer together.

**NEW DIRECTIONS FOR INTERNATIONAL LEGAL STUDIES**
**TOWARD THE END OF THE TWENTIETH CENTURY**

*by Francis A. Boyle*

During the past 12 years of studying and teaching international law, it has been my great pleasure to have used in one fashion or another almost every casebook on the market: Sohn, *Cases on United Nations Law*; Chayes, Ehrlich & Lowenfeld, *International Legal Process*; Sweeney, Oliver and Leech, *The International Legal System*; Sohn and Buergenthal, *International Protection of Human Rights*; McDougal and Reisman, *International Law in Contemporary Perspective*; Weston, Falk and D’Amato, *International Law and World Order*; Lillich and Newman, *International Human Rights*; as well as mimeographed materials by Sohn and Partan on *International Organizations*, and Baxter on *International Law*, etc. The fact that three leading casebooks have not been included on this list is not intended as an adverse reflection upon them, but is simply due to the limitations on my time. I look forward to some day being able to teach Kirgis, *International Organizations*; Henkin, Pugh, Schachter and Smit, *International Law*; and the fourth edition of Bishop’s *International Law*.

Since many of the aforementioned authors are teachers and friends of mine, it would be completely inappropriate for me to engage in any form of criticism of their casebooks. Indeed, never having written a casebook myself, I continually am amazed at the amount of hard work that has been put into all these casebooks by their respective authors. I think they all deserve our heartfelt gratitude for the collective labors of love that have gone into producing casebooks that we can use readily to teach our students, impart a basic knowledge of international law, and carry on the tradition of international legal studies.

That being said, my purpose here today is simply to sketch out the directions in which I believe international legal studies should move toward the end of the 20th century. Needless to say, that task will require an analysis of where we are today, thus requiring me to make some judgments about the state of the current teaching literature. But rather than criticize any authors in particular, I would like to emphasize the positive aspects of some books on the market and from this analysis try to synthesize what I believe a desirable approach to international legal studies should constitute in the future.

In addition, I would also like to say a few words about how we as professors of international law must begin to think about our professional tasks toward the end of

*Professor of Law, University of Illinois.*