when a rule, a claim or a political order is disputed. Therefore, legitimacy can be described as a "contestable validity claim" (*id.* at 709 n.8). In such situations, a proposed new rule would not be generally recognized, it would not be perceived as obligatory and valid, and it would have no pull power as yet. Its only strength would be its conformity with basic principles and values of international law, i.e., its *worthiness* to be recognized. If such a rule is described as legitimate, this would improve its chances of acquiring recognition, validity and actual pull power. Legitimacy would thus be a factor for perfecting international law. A definition of legitimacy as perception of right process, on the other hand, may turn out to be counterproductive. It would describe as "illegitimate" rules that are indeterminate and not yet perceived as valid. The very fact that a claim, proposition or rule is disputed would mean that it is not legitimate and will weaken its pull power. This would induce governments to obey rules only after other governments have done so and to adopt a "wait and see" position. Thus, a definition of legitimacy as perception of right process would, in my view, exert a conservative influence on international law. It would only register developments and endorse the existing standards and values; it would not promote higher ones through new rules.

DENCHO GEORGIEV*

TO THE EDITOR IN CHIEF:

April 25, 1989

I would like to respond briefly to the recent comments by Dr. Ján Klučka (83 AJIL 342 (1989)) on my Note in the July 1986 issue (at p. 587).

The only legal basis for setting in motion the emergency session procedure of the General Assembly is the "Uniting for Peace" Resolution. In fact, the relevant provisions of the Rules of Procedure of the General Assembly were added by that resolution. It is true that the Soviet Union and other Eastern European states—all of which initially challenged the legality of the said resolution—subsequently attempted to draw a distinction between the resolution and the procedure for convening emergency sessions in order to justify their own reliance on the procedure in that form. However, this distinction is juridically untenable.

I do not subscribe to the proposition that everything done by the General Assembly becomes legal by virtue of such practice, for I find this view—so central to Dr. Klučka's argument—repugnant to the concept of the rule of law.

YEHUDA Z. BLUM†

THE FRANCIS DEÁK PRIZE

The Board of Editors is pleased to announce the selection of David J. Bederman, a legal assistant to the Iran–United States Claims Tribunal, as

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