

**Brigadier General Martin Menter  
Inducted 2003**



Brigadier General Martin Menter was born on 1 July 1915 in Syracuse, New York and graduated with a Bachelor of Arts degree from Syracuse University in 1937. Two years later, he received a bachelor of laws degree from the same institution, was admitted to the New York State Bar and began a private law practice in Rochester. He later earned a master of laws degree from The George Washington University in 1948 and a “Juris Doctor” from Syracuse in 1968.

Called to active duty under his Army Air Corps Reserve commission in August 1940, General Menter served in a variety of assignments that took him to Washington DC; New York City; Mitchell Field, New York; Peterson Field, Colorado; and Harmon Field, Guam. During 1946-1951, he served as the Legislative Drafting and Research Branch’s Assistant Chief in the Office of the Air Judge Advocate at AAF headquarters and, then, Legislative Division Chief in the Office of the Judge Advocate General at United States Air Force. He helped craft the legislation to establish the Air Force as a separate service and he prepared the necessary orders to transfer military and civilian personnel, property, funds, installations and functions from the Army.

General Menter’s May 1959 ICAF thesis titled “Astronautical Law” represented the most comprehensive examination of the subject up to that time. One of the first legal treatises on space law anywhere, it offered an amazingly comprehensive, creative discourse on the implications of international admiralty law and air law as applied to outer space. He was concerned especially with the effects of space activity on the concept of sovereignty. Menter asserted that the Roman maxim *ex facto oritur jus* (law rises from fact) was appropriate for the development of space law. While he personally was more receptive than the USAF generally to the idea of an international space agreement, his use of the Roman maxim appealed to USAF leaders who believed strongly that space law should derive from actual activity rather than principles or theories. The United

States Senate Committee on Aeronautical and Space Sciences subsequently included “Astronautical Law” in its first publication of writings on space law.

General Menter closed his Air Force career as Judge Advocate of Aerospace Defense Command and North American Aerospace Defense Command at Ent Air Force Base, Colorado, during 1965-1970. He continued to refine his theories on the relationship between space activity and sovereignty, writing articles for such publications as the American Bar Journal and The Journal of the Astronautical Sciences, as well as speaking at the International Astronautical Federation’s Institute of Space Law and elsewhere. His widely acknowledged expertise on the subject of space law led to chairmanship of the American Bar Association’s Space Law Committee and the Aerospace Law Committee of the International and Comparative Law Section. For many years, he served as an International Astronautical Federation official observer in sessions of the United Nations Committee on the Peaceful Uses of Outer Space.

A founding member of the International Institute of Space Law (IISL) in 1960, General Menter gave that organization untiring service over the course of four decades. He served as president of the US Association of the IISL for four years, during which he initiated the practice of arranging IISL programs at annual meetings of the American Society of International Law. In the 1980s, he served six years as IISL Vice President and, thereafter, was elected to the lifetime position of Honorary Director. The IISL dedicated the proceedings of its 1990 Colloquium to him. General Menter died in November 2004.