INDEX

Abbott, Kenneth, 78
abduction, 143-55
Abyssinia, 12-17
act of state doctrine, 283-84, 289 n.11
admission of members (UN), 326
adoption, crosscountry, 294, 300
advisory opinions (World Court), 310, 320
Afroyim v. Rusk, 44-46
aggression, wars of, 101-03
Agreement Concerning Activities of States on the Moon, 259
Aideed, General Mohamed, 124-25
AIDS, 300
Air Services Arbitral Award, 78-80
airspace, 257-59
Akehurst, Michael, 67, 200
Algeria, democratic elections in, 353
Allott, Philip, 167, 353-54
Alvarez Case, 143-54, 261-62, 290, 301
Alvarex, Jose E., 301
amendment of UN Charter, 343
anadromous fish, 225-26
Anglo-Norwegian Fisheries Case, 185-97, 217
animal rights, 204
Antarctica, 253-57
Antarctic Treaty, 253-57
Arango v. Guzman Travel Advisers Corp., 285-86, 288
arbitration, 19-28, 47-49, 78-80
archipelagic state, 220-21
Area, defined, 242
Argentina v. Amerada Hess Shipping Corp., 286
armistice, 101
Asakura v. City of Seattle, 265-66
Australia v. France (Nuclear Tests Case), 84
Authority, defined, 242
autonomy, 19
backlash states, 353-54
Baker v. Carr, 211
Banco Nacional de Cuba v. Sabbatino, 178, 274
Bancroft Treaties, 32, 41 n.4
Barcelona Traction Case, 20 n.3, 40, 49-63
Barbakanic v. General Admin. of Civil Aviation, 289
Bartholet, Elizabeth, 300
Bassiouni, M. Cherif, 131, 149 n.24, 155
Beitz, Charles, 352
Belgium v. Spain (Barcelona Traction Case), 49-63
Berlin, Isaiah, 184
bilateral treaties, 84-85
Binder, Guyora, 184
biodiversity, 207
bioethics, 207
Black, Virginia, 5
board and search, 219-20
bombardment of undefended towns, 101
Bosnia, war in, 124
Convention on Rights and Duties of States, 17-18
Convention on Rights of the Child, 269, 291-300
Convention on Stateless Persons, 29-30
Convention on the High Seas, 39
Convention on the Law of Treaties, 81-98
Convention on the Prevention and Punishment of the Crime of Genocide, 86-87
Corporate veil, 53
Cosmopolitanism, 352
Costa Rica, law of nullities, 19-28
Counterclaims against sovereign, 280
Countermeasures, 77-80
Covenant of the League of Nations, 338
Covenant on Civil and Political Rights, 161-65
Covenant on Economic, Social & Cultural Rights, 168-71
Crimes against humanity, 103
Crimes against peace, 103
Critical legal studies, 348
Crosstown adoption, 294, 300
Customary law in American courts, 261-64, 270-77
Damrosch, Lori, 78
Declaration of the UN Conference on Environment, 205-06
Default rules, 78, 82-83
de jure recognition, 16
democracy, 352-53
democracy, process-based, 353
democracy, rights-based, 353
denial of justice, 56 n.8
denunciation (of treaties), 99
Dobson, Tracy, 207
Doherty Case, 127-31, 135, 138, 140
domestication of international law, 261-64
Do”nitz, Admiral, 103, 110-14
Doubleday, Nancy, 215
Dred Scott v. Sandford, 45
droit moral, 78
dualism, 261-64
Eain v. Wilkes, 131, 135, 137, 139
Earth Summit, 201
Economic and Social Council (UN), 337-38
Economic, Social & Cultural Rights Covenant, 168-71
Egypt, reservations to multilateral convention, 91
Ekbatana-West-Hinder Case, 74
Elephants, 207-08
Elimination of Discrimination Against Women, Convention, 91-95, 345
Emigration, 29
Emperor’s Cases, 5-17
Endangered species, 207-08
Engel, Kirsten, 352
Enterprise, defined, 242
Entitlements, bundle of, 2, 3
Epps, Valerie, 131, 135
Equity, 198-99, 236
Espionage, 142
Espousal of claims, 47-65
estoppel, 63, 233
Estrada doctrine, 18
Ethiopia, 5-17
European Commission of Human Rights, 313, 316-18
European Convention for the Protection of Human Rights, 314-18
European Court of Human Rights, 313-18
exclusive economic zone (EEZ), 223-26
expulsion (UN), 326
extradition, 126-54
extraterritorial export controls, 78
Factor v. Laubenheimer, 131-32
Falk, Richard, 353, 354
Farer, Tom, 124-25, 160, 172
feminist critique of international law, 98, 348-49
Filartiga v. Pena-Irala, App.Ct., 176-82, 274
Filartiga v. Pena-Irala, Dist.Ct., 274-77
Fisheries Case, 185-97, 217
Fisher, Roger, 2, 318
fishing on high seas, 240-41
flag of truce, 100
Foreign Sovereign Immunities Act, 278-80
forum non conveniens, 177
Foster v. Neilson, 266, 267
France v. Turkey (Lotus Case), 67-77
France v. United States (Air Services Arbitral Award), 78-80
Franck, Thomas, 353
Franconia-Strathclyde Case, 74
Frisbie v. Collins, 146
Frolova Case, 47, 63
FSIA, 278-80
full powers, 82
future of international law, 353-54
gender discrimination, 344-46
General Assembly (UN), 326-28
general principles, 198
general will, 353
genocide, 86-91, 121-22,
Genocide Convention, 86-87
genuine link, 35, 39, 54, 60, 238-39
German Constitution Art. 25, 262-63
Germany v. Denmark (Continental Shelf Case), 230-37
Glennon, Michael, 208
Global commons, 217
Great Britain v. Costa Rica (Tinoco Arbitration), 19-28
group rights, 184, 353
Hague Convention IV, 3, 99-102, 109-10, 119
Haile Selassie v. Cable & Wireless (Emperor's Cases), 5-17
Halberstam, Malvina, 155
Handl, Gunther, 207
Hannum, Hurst, 19
hate speech, 168
Hawes Case, 269
Henkin, Louis, 347, 352, 353
high seas, 238-39
High Seas, Convention, 39
historic title, 189
history of international law, 1-2
Hobbes, Thomas, 5
Holmes, Oliver Wendell, 263-64, 276
hot pursuit, 221-23
humanitarian intervention, 160, 351
human rights, 157-84, 336-37
ICJ, 303
ICRW, 209
I'm Alone Case, 221-22, 276
immunity, sovereign, 47, 278-80
incidence test for extradition, 134-37
incidents, 197
In re Castioni, 134, 136
In re Doherty, 127-31, 135, 138, 140
In re Ezeta, 134
In re Mackin, 126-27
In re Meunier, 134
In re Yamashita, 114-21, 313
intentional interpretation of treaties, 95
International Court of Justice, 303-10
International Covenant on Civil and Political Rights, 161-65
International Covenant on Economic, Social, and Cultural Rights, 168-71
International Olympics Committee, 301
intertemporal law, 96 n.5
Inuit claims, 215
IOC, 301
Iorns, Catherine, 19
IRA, 126-42
Iraq, 332-36
IWC, 209
Jacobson, Arthur, 351 n.1
Japan Whaling Association Case, 208-15
Japan Whaling Association v. American Cetacean Society, 208-15
Jenefsky, Anna, 95
Juenger, Friedrich, 78
jurisdiction, 67-80
jus cogens, 96
justice, 351-52
just war, 2
juvenile execution, 299
Kant, Immanuel, 351
Karadzole v. Artukovic, 131
Kellogg-Briand Pact, 102-03, 107-08
Kelsen, Hans, 29, 261-62
Kerrigan, Nancy, 301
Ker v. Illinois, 145-46, 152-54
Kirgis, Frederic, 207
Kiss, Charles, 348
Korean Air Lines Flight 007, 2
Korean War, 330, 331 n.5
Korematsu Case, 313
Kuwait, 3, 332-36
Lake, Anthony, 353-54
land-locked states, 226-27, 241-42
Nottebohm Case, 30-39, 57, 60, 61, 63, 238
nuclear proliferation, 199, 354
Nuclear Tests Case, 84
nulla poena sine lege, 106-08
nullities, law of, 19-28
Nuremberg Charter, 103-04
Nuremberg Final Judgment, 104-14
object and purpose, 85, 86, 89-91
objective test for extradition, 134
ocean floor, 242
Oppenheim, Lassa, 5, 42 n.5
opposability, 57, 63
optional clause (World Court), 307, 310-11
Ornelas v. Ruiz, 135
Ortigia-Oncle-Joseph Case, 74
outer space, 259-60
Outer Space Treaty, 259-60
Oxman, Bernard, 207
Packwood Amendment, 208-15
pacta sunt servanda, 81
Palestine refugees, 344-46
Panevezys-Saldutiskis Railway Case, 51
Paquete Habana Case, 178, 181, 270-74, 275
Parfit, Derek, 207
Paris Peace Pact, 102, 107-08
Parlement Belge, 7, 8
Parry, Clive, 58
passive personality jurisdiction, 77
Paust, Jordan, 142
PCIJ, 303, 307
peace, 351
Peacekeeping Force (UN), 331
Pelly Amendment, 208-15
peremptory norm, 96
Perez v. Brownell, 40-46
Persian Gulf War, 330-31, 332-36
Philippines, war crimes against, 114-21
piercing the corporate veil, 53
pillage, 101
pipelines, submarine, 240
piracy, 76-77, 239-40
pledge treaties, 97
PLO, 137
poisoned weapons, 100
political independence, 320, 352
political offenses, 133-34
political realism, 347, 352
political science, 347, 353
pollutor pays, 204
possessio longi temporis, 188
Powers Case, 257-58
Presidential violation of international law, 277
prisoners of war, 100
proportionality as to countermeasures, 78-80
proportionality as to extradition, 134
protests, 199-200
public emergency, 316
publicists, writings of, 199
pure political offenses, 133
qualitative element (of custom), 197
quantitative element (of custom), 197
Quinn v. Robinson, 131-41
radical feminism, 348-49
rape, 122, 125
ratification, 81-83
Rawls, John, 352
Reagan Administration, 242, 252
realism, political, 347, 352
rebus sic stantibus, 96-97
recognition of governments, 5-28
recognition of states, 17-18
refugees, 344-46
Reid v. Covert, 264
Reisman, W. Michael, 3 n.2, 197
relative political offenses, 133-34
renvoi, 58
Reparation for Injuries Case, 320-26
reprisal, 2-3, 78
Republic of Argentina v. Weltover, Inc., 287
requisitions in kind, 101
reservations to multilateral conventions, 82, 85-95, 252
Reservations to the Convention on Genocide, Advisory Opinion, 88-91
resolutions (UN), 199
restrictive theory of sovereign immunity, 280-90
retaliatory sanctions, 78
retroactivity of treaties, 95-96
Rights and Duties of States, Convention, 17-18
Rights of the Child Convention, 269, 291-300
Rio Declaration on Environment, 201-05
Rousseau, Jean-Jacques, 353
Rules of the World Court, 311-12
Sabbatino Case, 178, 274
Sakhalin Island, 2
Saladin, Claudia, 184
Saudi Arabia v. Nelson (Nelson Case), 182, 282-90
Schooner Exchange v. M'Faddon, 280, 283
Schwarzenberger, Georg, 1
Seabed Disputes Chamber, 244-47
Sea law, 217-52
secession, 19-28
Security Council resolutions on Kuwait, 332-36
Security Council (UN), 328-36
Sei Fujii v. State, 266-69
Selassie, Haile, 5-17
self-determination, 184
Shelton, Dinah, 348
signing of treaties, 83
skjaergaard, 186
Slaughter Burley, Anne-Marie, 347
slavery, 122, 239, 240, 314
Somalia, war crimes in, 124
sources of general international law, 185-200
sovereign immunity, 47, 278-80
special agreement, 77
special custom, 199-200
species chauvinism, 204
sports law, 300-01
standing army (UN), 342-43
Stark, Barbara, 353, 354
stateless person, 29-30, 43 n.6
Stateless Persons, Convention, 29-30
Statute of the World Court, 303-10
Statute of the Yugoslav War Crimes Tribunal, 121-24
Stockholm Declaration on Environment, 205-06
Stone, Christopher, 215
Stopovia, 64-65
Sumi, Kazuo, 215
superior orders, 114-21
Supplementary Extradition Treaty US-UK, 141-42
Supremacy Clause, US Constitution, 263-64
sustainable development, 201-04
systems critique, 348
systems theory, 348
Taft, William Howard, 19-27, 28
Takovia, 64-65
Tate Letter, 280, 284, 289
Taylor, Telford, 113
Temple of Preah Vihear Case, 84
ten-mile rule, 196
termination of treaties, 96-97
territorial integrity, 320, 352
territorial sea, 217-20
terrorism, 129, 132-41
Teson, Fernando, 348, 349, 351
textual interpretation of treaties, 95
three mile limit, 217
Tinoco Arbitration, 19-28
tit-for-tat, 2, 78
torture, 172-83
Torture Convention, 172-75
Torture Victim Protection Act, 182-83
total war, 102
treaties (general), 81-98
treaty interpretation, 18, 95-96
Treaty of Treaties, 81-98
Treaty of Versailles, 108
Trimble, Phillip, 264
Trop v. Dulles, 42-44
Trusteeship Council (UN), 339-41
tu quoque, 113-14
tyrrany, 144, 353
U-Boat warfare, 110-12
UN Convention on Law of Sea, 217-52, 319
Underhill v. Hernandez, 181
unilateral declarations, 83-84
United Kingdom v. Norway (Fisheries Case), 185-97, 217
United Nations Charter, 81, 319-43, 352
United Nations Relief and Works Agency for Palestine Refugees, 344-46
Universal Declaration of Human Rights, 157-61, 179, 344-45
UN Resolutions, 199
UNRWA, 344-46
uprising (in extradition), 135-40
US ratification of political rights covenant, 166-67
US-UK Extradition Treaty, 126, 128, 131
US-UK Supplementary Extradition Treaty, 141-42
US v. Alvarez-Machain (Alvarez Case), 143-54, 261-62, 290
US v. California, 194
US v. McRae, 10, 14-15
US v. Pink, 16-17
US v. Rauscher, 145, 149, 150, 152, 153
US v. Texas, 194
US v. Wagner, 12
Verlinden B.V. v. Central Bank of Nigeria (Verlinden Case), 280-82, 286, 289 n.11
veto (UN), 328-30
Vienna Convention on Treaties, 81-98
Vietnam War, 2
war crimes, 99-125, 129
war propaganda, 164, 166, 168
Webster-Ashburton Treaty, 145, 147
Weis, Paul, 29
Weiss, Edith Brown, 207
Weiss, Peter, 197
Weston, Burns, 334-36
whales, 208-15
WHO, 300
Women's Convention Against Discrimination, 91-95
World Court, 303-11
World Court Statute, 303-10
World Health Organization, 300
World War I, 101
World War II, 2, 81, 101
Wright, Shelley, 348
writings of publicists, 199
W.S. Kirkpatrick & Co. v. Environmental Tectonics Corp., 283, 289
Yamashita Case, 114-21, 313
yesable proposition, 318
Yick Wo v. Hopkins, 268
Yugoslav War Crimes Tribunal, 121-24
Zedan v. Kingdom of Saudi Arabia, 284
Zoller, Elisabeth, 78, 197