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Addresses

AN ADDRESS BY SECRETARY-GENERAL KURT WALDHEIM 1

Secretary-General Kurt Waldheim, in an address on the 50th Anniversary of the Social Science Foundation, discusses the challenges that confront the world community and the United Nations. He examines many of the problems that face the world, and discusses the role of the U.N. in dealing with them. The Secretary-General concludes that "only with a vastly increased support and a new and widespread understanding of ourselves and of the world we live in can we hope to master our fate in the enormously complex world which we have created."

DÉTENTE AND WORLD ORDER

Josef Korbel 9

In the first annual Myres S. McDougal Distinguished Lecture, Professor Korbel first discusses the concept of nonintervention in internal affairs. The author then relates this concept to the policy of detente between the United States and the Soviet Union. He argues that Americans have a far different understanding of detente than the Soviet leadership, and that this difference of perception leads to disillusionment among Americans. He concludes that, lacking a basis in mutual trust, the policy of detente between the United States and the Soviet Union is on shaky ground.

Articles

FROM GANDHI TO GANDHI—INTERNATIONAL LEGAL RESPONSES
TO THE DESTRUCTION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN INDIA

Ved P. Nanda 19

Professor Nanda concludes that gross and massive violations of human rights and fundamental freedoms have occurred and continue to occur in India since June 25, 1975, when the Government of India imposed a state of Emergency. The author examines these violations in light of appropriate provisions of the U.N. Charter and of the applicable human rights instruments—covenants, declarations and resolutions. He rejects the Government's contention that the repressive measures were necessary (1) on the grounds of national security and (2) to bring about economic and social reforms. The author offers practical steps which states, intergovernmental organizations and non-governmental groups can take to persuade India to restore human rights and fundamental freedoms.

THE RISING UTILITY OF THE PUBLIC INTERNATIONAL CORPORATION
 *Bruce Zagaris* 43

Lack of proper institutional structures and the failure of governments to surrender sovereignty to inter-governmental organs have stifled efficient functioning of organizations capable of accomplishing integration. The author explores, from a practitioners viewpoint, the role of the public international corporation as a valuable and creative mechanism for achieving positive cooperation between international actors to attain a more equitable distribution of the world's resources.

Faculty Comment

SOWING THE WIND: REBELLION AND TERROR-VIOLENCE IN THEORY AND PRACTICE
 *Robert A. Friedlander* 83

Terror-violence presents a severe threat to the legal order and to democratic society itself. Professor Friedlander analyzes the background and causes of terrorism, and relates it to rebellion and revolution. The author discusses ways to control terrorism while at the same time preserving democratic freedoms. He concludes that international action must be taken to curb the spread of terror-violence before it destroys the very fabric of international, and national, society.

Student Comments

THE MARCH ON THE SPANISH SAHARA: A TEST OF INTERNATIONAL LAW
 *Abigail Byman* 95

Using the Moroccan march on the Spanish Sahara as a case in point, the author analyzes the present validity of international legal theories of self-determination, aggression and coercion, the "non-legal" components of the international system, and the effectiveness of international organizations in dealing with the current world order. She concludes with a number of recommendations for strengthening the international legal system.

THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE: IMPLICATIONS FOR SOVIET-AMERICAN DÉTENTE
 *Douglas G. Scrivner* 122

The CSCE and its Final Act have received much attention but little understanding. The author analyzes the key provisions of the Final Act and its legal, political and moral effect. He concludes by examining the policy of detente and by offering recommendations for U.S. policy, particularly in regard to human rights.

PROSPECTS FOR NUCLEAR PROLIFERATION AND ITS CONTROL
 *Douglas Triggs* 159

The author examines the provisions of the Non-Proliferation Treaty and the current limitations on the control of nuclear proliferation. He next discusses the pressures for proliferation that operate in the international system. He then analyzes a number of proposed solutions to the continuing problem and recommends steps to control nuclear proliferation.

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COMMENT: ACCEPTING JURISDICTION IN FOREIGN PATENT
VALIDITY SUITS—Packard Instrument Co. v. Beckman
Instruments, Inc., 346 F. Supp. 408 (1972)

..... *Mark S. Caldwell* 191

In *Beckman Instruments*, the District Court declined to exercise jurisdiction in an action challenging the validity of foreign patents. The author concludes that a new standard should be developed in the area, and that the better rule of law would be to accept jurisdiction. He analyzes the court's right to assume jurisdiction, the conflict of laws problems involved, and the policy questions inherent in accepting jurisdiction over a challenge to a patent granted by a foreign government.

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