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## Dedications to Myres Smith McDougal

### Keywords

Human Rights Law, International Law: History, Jurisdiction



## MYRES SMITH MCDUGAL

The *Journal* feels it appropriate to initiate its existence by honoring one of international law's most distinguished authorities, Professor Myres S. McDougal. As students we have been greatly influenced by him and his policy-oriented approach. This is reflected by our title, *The Denver Journal of International Law and Policy*.

We can add little to what is said hereinafter; his colleagues amply expound the reasons for our decision to dedicate this issue to Professor McDougal. He exemplifies the innovation and creativity which is part of international legal studies.

This issue is a tribute to Professor McDougal, containing both comments on, and exhibits of, his influence on the work of his students and colleagues. A formal acknowledgement of his academic career follows as an introduction, illustrating well the expanse of his personality and work.

A.B., A.M., LL.B., University of Mississippi, 1927; B.A., B.C.L., Oxford University, England, 1930; J.S.D., Yale University, 1931; Doctor of Humane Letters, Columbia University, 1954. Assistant Professor of Law, University of Illinois, 1931-1934; Associate Professor of Law, Yale University, 1934-1939; Professor of Law, Yale University 1939.....; William K. Townsend, Professor of Law, Yale University, 1944-1958; Sterling Professor of Law, Yale University, 1958.....; Visiting Professor of Law, Cairo University, Egypt, 1959-1960. Lecturer, Fulbright Conference on American Studies, Cambridge University, 1952; First John A. Sibley Lecturer, University of Georgia, 1964; occasional lectures: The Hague Academy of International Law, The U.S. Naval War College, The National War College, The Army War College, The Air University. Assistant General Counsel, Lend-Lease Administration, 1942; General Counsel, Office of Foreign Relief and Rehabilitation Operations, Department of State, 1943; of counsel to the Government of Saudi Arabia in the Aramco Arbitration, 1955-1956; Member, U.S. Panel, The Permanent Court of Arbitration, 1963.....; President, American Society of International Law, 1958; President, Association of American

Law Schools, 1966. Member of Board of Editors: The American Journal of International Law; The American Journal of Comparative Law; The Natural Law Forum. Member: American Bar Association, American Society of International Law. First recipient of the Lucius Quintus Cincinnatus Lamar Award, 1966; LL.D. (Honorary), Northwestern University, 1966; LL.D. (Honorary), York University, Canada, 1970.

## A BIBLIOGRAPHY OF WRITINGS BY MYRES SMITH McDOUGAL

### BOOKS

THE INTERPRETATION OF AGREEMENTS AND WORLD PUBLIC ORDER (1967) (with H. LASSWELL & J. MILLER).

LAW AND PUBLIC ORDER IN SPACE (1963) (with H. LASSWELL & I. VLASIC).

THE PUBLIC ORDER OF THE OCEANS: A CONTEMPORARY INTERNATIONAL LAW OF THE SEA (1962) (with W. BURKE).

LAW AND MINIMUM WORLD PUBLIC ORDER: THE LEGAL REGULATION OF INTERNATIONAL COERCION (1961) (with F. FELICIANO).

STUDIES IN WORLD PUBLIC ORDER (1960) (with associates).

PROPERTY, WEALTH, LAND: ALLOCATION, PLANNING AND DEVELOPMENT (1948) (with D. HABER).

THE CASE FOR REGIONAL PLANNING WITH SPECIAL REFERENCE TO NEW ENGLAND, by the DIRECTIVE COMMITTEE ON REGIONAL PLANNING, YALE UNIVERSITY (1947) (Chairman of the Committee, with M. ROTIVAL).

### ARTICLES

*Criteria for a Theory about Law*, 44 S. CAL. L. REV. 362 (1971) (with Lasswell).

*Legal Bases for Securing the Earth-Space Environment*, in Proceedings of International Joint Conference of the American Geographical Society and the American Division of the World Academy of Art and Science. (New York, 1970).

*The World Constitutive Process of Authoritative Decision*, in THE FUTURE OF THE INTERNATIONAL LEGAL ORDER 73 (C. Black & R. Falk ed. 1969) (with Lasswell & Reisman).

*Human Rights and World Public Order: A Framework for Policy-Oriented Inquiry*, 63 AM. J. INT'L L. 237 (1969) (with Lasswell & Chen).

*Rhodesia and the United Nations: The Lawfulness of International Concern*, 62 AM. J. INT'L L. 1 (1968) (with Reisman).  
*Theories about International Law: Prologue to a Configurative Jurisprudence*, 8 VA. J. INT'L L. 188 (1968) (with Lasswell & Reisman).

*In Dedication to Dean Dillard: Man of Depth and Style*, 54 VA. L. REV. 585 (1968) (with Lasswell).

*Revision of the Geneva Conventions on the Law of the Sea: The Views of a Commentator*, 1 NATURAL RESOURCES LAWYER No. 3 at 19 (1968).

*International Law and the Law of the Sea*, in THE LAW OF THE SEA 3 (L. Alexander ed. 1967).

*Jurisprudence in Policy Oriented Perspective*, 19 U. FLA. L. REV. 486 (1967) (with Lasswell).

*The International Law Commission's Draft Articles upon Interpretation: Textuality Redivivus*, 61 AM. J. INT'L L. 992 (1967).

*Authority to Use Force on the High Seas*, 20 NAVAL WAR COLLEGE REV. 19 (1967).

*Act of State in Policy Perspective: The International Law of an International Economy in PRIVATE INVESTORS ABROAD—STRUCTURES AND SAFEGUARDS* (1966).

*Jurisprudence for a Free Society*, 1 GA. L. REV. 1 (1966).

*Education for Professional Responsibility*, 12 THE STUDENT LAWYER 6 (1966).

*Chinese Participaton in the United Nations: The Legal Imperatives of A Negotiated Solution*, 60 AM. J. INT'L L. 671 (1966) (with Goodman).

*Maintenance of Public Order at Sea and Nationality of Ships*, 52 AM. J. INT'L L. 25 (1960) (with Burke & Vlasic).

*The Community Interest in a Narrow Territorial Sea: Inclusive versus Exclusive Competence over the Oceans*, 45 CORNELL L. Q. 171 (1960) (with Burke).

*The Identification and Appraisal of Diverse Systems of Public Order*, 53 AM. J. INT'L L. 1 (1959) (with Lasswell).

*The Impact of International Law upon National Laws A Policy-oriented Perspective*, 4 S. DAKOTA L. REV. 25 (1959).

*Current Controversies about Legal Education* 8 CLEV.-MAR. L. REV. 199 (1959) (with Forrester, Green, et al).

*Legal Regulation of Resort to International Coercion: Aggression and Self-Defense in Policy Perspective*, 68 YALE L. J. 1057 (1959) (with Feliciano).

*Perspectives for an International Law of Human Dignity*, 53 PROC. AM. SOC'Y INT'L L. 107 (1959).

*Crisis in the Law of the Sea: Community Perspectives versus National Egoism*, 67 YALE L.J. 539 (1958) (with Burke).

*International Coercion and World Public Order: The General Principles of the Law of War*, 67 YALE L.J. 771 (1958) (with Feliciano).

*The Initiation of Coercion: A Multi-Temporal Analysis*, 52 AM. J. INT'L L. 241 (1958) (with Feliciano).

*Perspectives for a Law of Outer Space*, 52 AM. J. INT'L L. 407 (1958) (with Lipson).

*Artificial Satellites: A Modest Proposal*, 51 AM. J. INT'L L. 74 (1957).

*Jurisdiction*, 9 NAVAL WAR COLLEGE REV. 1 (1957).

*El Derecho Internacional Como Ciencia Politica*, III REVISTA DE DERECHO Y CIENCIAS SOCIALES 142 (1956).

*Law as a Process of Decision: A Policy Oriented Approach to Legal Study*, 1 NATURAL L. FORUM 53 (1956).

*Peace and War: Factual Continuum with Multiple Legal Consequences*, 49 AM. J. INT'L L. 63 (1955).

*The Hydrogen Bomb Tests and the International Law of the Sea*, 49 AM. J. INT'L 356 (1955).

*The Hydrogen Bomb Tests in Perspective: Lawful Measures for Security*, 64 YALE L.J. 648 (1955) (with Schlei).

*The Impact of the Metropolis Upon Land Law*, in THE METROPOLIS IN MODERN LIFE 212 (R. Fisher ed. 1955).

*The Influence of the Metropolis on Concepts, Rules and Institutions Relating to Property*, 4 J. PUB. L. 93 (1955).

*The Realist Theory in Pyrrhic Victory*, 49 AM. J. INT'L L. 376 (1955).

*The Treaty-Power and the Constitution: The Case against the Amendment*, 40 A.B.A.J. (1954) (with MacChesney, Mathews, Oliver, and Ribble).

*Dr. Schwarzenberger's Power Politics*, 47 AM. J. INT'L L. 115 (1953).

*International Law, Power, and Policy: A Contemporary Conception*, 82 RECUEIL DES COURS 137 (Hague Academy of International Law, 1953 with separate printing).

*Law and Power*, 46 AM. J. INT'L L. 102 (1952).

*The Comparative Study of Law for Policy Purposes: Value Clarification as an Instrument of Democratic World Order*, 61 YALE L.J. 915 (1952); 1 AM. J. COMP. L. 24 (1952).

*The Veto and the Charter: An Interpretation for Survival*, 60 YALE L.J. 268 (1951) (with Gardner).

*Planning and Development for Metropolitan Communities*, in AMERICAN PLANNING AND CIVIC ANNUAL 94 (1950).

*The Genocide Convention and the Constitution*, 3 VAND. L. REV. 683 (1950) (with Arens).

*The Rights of Man in the World Community: Constitutional Illusions Versus Rational Action*, 59 YALE L.J. 60 (1949) (with Leighton); 14 LAW & CONTEMP. PROB. 490 (1949).

*Land Title Transfer: a Regression*, 48 YALE L.J. 1125 (1949) (with Brabner-Smith).

*The Role of Law in World Politics*, 20 MISS. L.J. 253 (1949).

*International Law and Contending World Orders*, 34th Proceedings of the Institute of World Affairs 11 (Dec. 1948) (pub. 1960).

*Foreword to Regional Planning and Development: The Process of Using Intelligence, Under Conditions of Resource and Institutional Interdependence, for Securing Community Values*, 32 IOWA L. REV. 193 (1947).

*The Law School of the Future; From Legal Realism to Policy Science in the World Community*, 56 YALE L.J. 1345 (1947).

*Municipal Land Policy and Control* 1 (New York, Practising Law Institute, 1946).

*Aims and Objectives of Legal Education*, in *Handbook of the Association of American Law Schools* 125 (1945).

*Treaties and Congressional-Executive or Presidential Agreements: Interchangeable Instruments of National Policy*, 54 YALE L.J. 181 (1945) (with Lans).

*Treaties and Congressional-Executive or Presidential Agreements: Interchangeable Instruments of National Policy, II*, 54 YALE L.J. 534 (1945) (with Lans).

*A Regional Development Administration*, 264 New England War Bulletin, No. 4, at 14 (June-July 1945).

*Municipal Land Policy and Control* 242 ANNALS 88 (1945).

*Policy-Making as the Center of Emphasis*, in *Handbook of the Association of American Law Schools* 47 (1943).

*Legal Education and Public Policy: Professional Training in the Public Interest*, 52 YALE L.J. 203 (1943) (with Lasswell).

*Future Interests Restated: Tradition versus Clarification and Reform*, 55 HARV. L. REV. 1077 (1942).

*Public Purpose in Public Housing: An Anachronism Reburied*, 52 YALE L.J. 42 (1942) (with Mueller).

*Summary and Criticism of Answers to Question 8 of the Property Questionnaire* (Report of Sub-committee on Property, Committee on Curriculum, Association of American Law Schools, 1941), in *Handbook of the Association of American Law Schools* 268 (1941).

*Fuller v. The American Legal Realists: An Intervention*, 50 YALE L.J. 827 (1941).

*Title Registration and Land Law Reform: A Reply*, 8 U. CHI. L. REV. 63 (1940).

*Bankruptcy*, in 3 ENCYCLOPEDIA BRITANNICA. (14th rev. edition 1936) (with William O. Douglas).

#### BOOK REVIEWS

Civil Rights in Immigration. By M. Konvitz, 40 AM. J. INT'L L. 335 (1954).

Problems of Stability and Progress in International Relations. By Q. Wright, 48 AM. J. INT'L L. 680 (1954).

The International Court of Justice. By O. Lissitzyn, 47 AM. J. INT'L L. 340 (1953).

Foundations of World Organization. Edited by Lyman Bryson, 47 AM. J. INT'L L. 351 (1953).

International Law and Human Rights. By H. Lauterpacht, 60 YALE L.J. 1051 (1951).

Cases and Readings on Law and Society. By S. Simpson & J. Stone, 45 AM. J. INT'L L. 399 (1951).

Real Covenants and Other Interests which "Run with Land." By C. Clark, 58 YALE L.J. 500 (1949).

The Law of Public Housing. By W. Ebenstein, 54 HARV. L. REV. 526 (1941).

Restatement of Torts, Vol. IV, Division 10, Chapter 41. The American Law Institute, 49 YALE L.J. 1502 (1940).

The Law and Mr. Smith. By M. Radin, 87 U. PA. L. REV. 495 (1939).

Readings in Jurisprudence. By J. Hall, 34 ILL. L. REV. 109 (1939).

The Tyranny of Words. By S. Chase, 5 U. CHI. L.Q. 702 (1938).

A Treatise on the Law of Personal Property. By R. A. Brown, 47 YALE L.J. 514 (1938).

Restatement of the Law Property. The American Law Institute, 32 ILL. L. REV. 509 (1937).

The Higher Learning in America. By R. Hutchins, 46 YALE L.J. 1433 (1937).



The Promise of American Politics. By T. V. Smith, 46 *YALE L.J.* 1269 (1937).

Cases and Materials on Creditors' Rights. By J. Hanna, 45 *Yale L.J.* 1159 (1936).

Cases on the Law of Bankruptcy, Including the Law of Fraudulent Conveyances. By E. Holbrook and R. W. Aigler, 3d ed., edited by T. C. Billig, 45 *Yale L.J.* 1158 (1936).

A Treatise on Mortgages. By W. F. Walsh, 44 *YALE L.J.* 1278 (1935).

#### **SPEECHES AND ADDRESSES**

*Statement upon Interpretation, the Vienna Conference on the Law of Treaties*, 62 *AM. J. INT'L. L.* 1021 (1968).

Statement upon National Foundation for Social Sciences, Hearings on S. 836 Before the Subcomm. on Government Research of the Senate Comm. on Government Operations, 90th Cong., 1st Sess., at 508 (1967).

Legal Education for a Free Society: Our Collective Responsibility (Presidential Address), Association of American Law Schools, Proceedings 1966, Pt. II, at 33 (Dec. 1966).

The Policy-Science Approach to International Legal Studies, in *Lectures on International Law and the United Nations* delivered at the University of Michigan Law School, June 23-28, 1955 at 43-61, Summer Institute on International and Comparative Law, University of Michigan (1957).

The Treaty-Making Power, in Proceedings American Branch, International Law Association for 1952, at 13-23; also in Hearings on S. J. 130 Before the Subcomm. of the Senate Comm. on the Judiciary, 82d Cong., 2d Sess. (1952).

Remarks on Human Rights, 43 *PROC. AM. SOC'Y INT'L L.* 65-68, 83-85 (1949).

The Codification of International Law, 41 *PROC. AM. SOC'Y INT'L L.* 47 (1947).

Outline of Talk on "Legal Questions" in *The Problem of the Cities and Towns: Report of the Conference on Urbanism*, Harvard University, March 5, 6, 1942, at 42-58 (1942).

#### **MISCELLANEOUS**

Brief for the Respondent, *Ex Parte Quirin*, 317 *U.S.I.* (Counsel with others to the Attorney General).

Report of Committee on Planning, Rebuilding and Developing Metropolitan Communities, Property Section, American Bar Association, 1946. 30 pp.(mimeographed)(Chairman of Committee).