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The Irrelevance of International Law: The Schism between International Law and International Politics

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This article examines the genesis of international political science as an independent intellectual endeavor following the Second World War and documents the schism that developed between international lawyers and international political scientists. The author explores the historical reasons for the schism, examines the development of "political realism," and discusses subsequent developments in international political science that reaffirmed the discipline's contention that international law is irrelevant to international politics. The author states that a reintegration of international legal studies and international political science can and must occur, so that the two groups can pursue common objectives in unison. The author rejects McDougal-Lasswell jurisprudence as unsuitable to achieve the desired reunification and concludes by suggesting a five-step approach that could optimize the role of international law in international crises and thus resolve the problem concerning the irrelevance of international law to international politics.

American Samoa: Decline of a Culture

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This article examines the deterioration of the traditional Samoan way of life that has resulted from Samoa's relationship with the United States. The author focuses on two traditional Samoan institutions — the *matai* (chief) system and the land tenure system. The article examines these venerable institutions and discusses the factors that have contributed to their deterioration: the "Americanization" of Samoan political institutions; the *King v. Andrus* case — a judicial contribution to that Americanization; and educational and economic considerations that have served to undermine traditional Samoan culture. The author argues that despite United States attempts to preserve the Samoan way of life, the efforts have only deterred the speed at which the deterioration is taking place and that the demise of American Samoan culture appears to be unavoidable.

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 nations, focusing on human rights law. The author examines the procedural municipal law of states — laws that protect an accused from arbitrary arrest and detention — as a source of general principles of human rights law. The author uses three sources of municipal law: comments made by countries to the United Nations Commission on Human Rights Draft Articles on the right to liberty and security of person in regard to arrest and detention; statements made by countries in regard to Article 9 of the Universal Declaration of Human Rights, which states that no one shall be subject to arrest, detention, or exile; and constitutions. The author formulates four summarized principles and tests the acceptance of these principles by comparing them with these three sources of municipal law. The author states that by examining and comparing the municipal laws of countries, common denominators among legal systems can be identified which can be considered general principles of law recognized by all nations. The author proposes that such an approach can further the development and codification of international law.

**The United Kingdom—France
 Continental Shelf Arbitration**

J.G. Merrills 314

In 1975, after failing to agree on the boundaries of their continental shelf in the English Channel and eastern Atlantic, France and the United Kingdom referred the matter to arbitration. This article examines the Court of Arbitration's 1977 Judgment, the 1978 Judgment (Interpretation), which was delivered after the United Kingdom had requested a clarification of certain issues concerning the 1977 Judgment, and discusses the implications of the two Judgments for future continental shelf delimitation. The author discusses the arbitral debate concerning the applicable law, the court's delimitation decisions, and the dispute regarding the scope and meaning of the 1977 Judgment. The author is critical of the court's shortcomings which made the 1978 Interpretation necessary, but concludes that the court clarified many of the issues regarding continental shelf delimitation and that the United Kingdom — France arbitration is a constructive contribution to the law of the sea and a reminder of the value of international adjudication.

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