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The past three decades have seen a dramatic shift in public opinion regarding the use of military force to protect American interests and lives. The highly popular operations in Grenada and Kuwait are in direct contrast to the widely criticized incursion into Cambodia during the Vietnam War twenty-four years ago. Captain Guiden examines the Cambodian incursion from the perspective of accepted canons of international law and information available at the time and concludes that the incursion was not only necessary but well within accepted legal standards.

"AND TOMORROW?" THE TORTURE VICTIM PROTECTION ACT <i>Rachael E. Schwartz</i>	271
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In the post-Cold War era, global human rights concerns have taken on a more independent life than when the leaders of polarized spheres of influence heaped accusations on each other for political purposes. The United States government has decided to take leadership in providing legal recourse for persons tortured in other countries. Ms. Schwartz analyzes the jurisdictional interaction of the Torture Victim Protection Act with other laws and judicial doctrines. She then examines the TVPA from a moral point of view, concluding that it tends to further the course of justice in the world.

INTERNATIONAL PROTECTION OF JOURNALISTS:
PROBLEM, PRACTICE, AND PROSPECTS

Dr. Amit Mukherjee

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Journalists on missions outside of their own country often face hostilities ranging from censorship, lack of access to information, and revocation of permits to detention, torture, and murder. Dr. Mukherjee examines the struggle within the international community regarding the protection of journalists and concludes that the current international regime does not provide significant protection. By comparison to opinions of the European Court and the European Commission, he recommends the establishment of an internationally enforceable regime of human rights.

COMMENTS

A NEW ANDEAN AGREEMENT: RULES OF ORIGIN
REPLACE THE INVESTMENT CODE

Jonathan E. Adams R.

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Current discussion regarding free trade almost exclusively centers on the United States and its chosen trade partners. In his comment, Mr. Adams departs from this well-traveled path and instead looks at the Andean Group, a group of countries in northern South America, that has been attempting to integrate for 25 years. By comparing the Group's initial Cartagena Agreement of 1969 with the Agreement's new face of the early 1990s, he finds that the goals of industrial and economic development have consistently been the Agreement's primary focus. Mr. Adams concludes that the Andean Group's objective is more effectively served by the Agreement's new focus on rules of origin rather than by its old emphasis on the source of investment capital.

THE NUNAVUT AGREEMENT: A MODEL FOR
PRESERVING INDIGENOUS RIGHTS

Alexandra Kersey

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On May 25, 1993, the Canadian government and Inuit leaders signed the Nunavut Land Claim Agreement. This Agreement and its companion Accord designate one-fifth of northern Canada as a territory for the

indigenous Inuit people. Ms. Kersey analyzes this historic land claim settlement under the standards set forth in the United Nations Draft Declaration on Indigenous Rights. She concludes that the Agreement may be used as a model by other indigenous groups claiming rights to traditional lands.

DEVELOPER EXACTIONS AND PUBLIC DECISION MAKING IN THE UNITED STATES AND ENGLAND

Deborah Rhoads

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The use of developer exactions to pay for public services and facilities has significantly increased over the past several years as the ability of local governments to bear such costs has steadily eroded. This form of local regulation has been criticized by the U.S. Supreme Court, which has departed from 50 years of deference to local legislative decisions regulating land use. Ms. Rhoads analyzes these cases and compares limitations on local government in the United States to the centralized regulatory system in England. She concludes that the expanded scrutiny of local land use regulation will lead to an increased use of negotiated development agreements between municipalities and developers; an alternative that removes critical land use decisions from the political process and creates potential for abuse.

THE RETURN OF THE BUFFALO: AN HISTORICAL SURVEY OF RESERVATION GAMING IN THE UNITED STATES AND CANADA

Sherry M. Thompson

521

In the United States, gambling on Indian lands has grown into a multi-million dollar business. From simple bingo halls to glitzy Las Vegas-style casinos, tribes are injecting renewed economic vitality into their reservations. This economic boom is not without controversy. In her comment, Ms. Thompson reviews the growth of reservation gaming in both the United States and Canada. She concludes that both countries must resist the temptation to further regulate tribal gaming and thereby prevent erosion of tribal sovereignty on tribal lands.

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