

AUSTRALIAN DEPARTMENT OF FOREIGN AFFAIRS

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FOREIGN AFFAIRS RECORD

BOOK REVIEW

THE SCIENCE OF PEACE

by J G Starke QC

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The Hon Justice Michael Kirby

The Science of Peace by J G Starke QC. Pages i-xvi. 1-168.
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The signature, at the end of 1987, by President Reagan and General Secretary Gorbachev of a proposed treaty to eliminate shorter and medium range nuclear missiles calls attention to this book which was published in 1986, during the year designated by the United Nations as "The International Year of Peace".

Students of public international law will be familiar with the law of war. After Hiroshima, the qualitative change of the potential of war to rob all participants (and others) of the fruits of victory, makes the study of peace, what it is and how it may be achieved, a timely exercise. Special relevance is given to the book by recent international events which raise the prospect of significant breakthroughs in negotiations towards the comprehensive disarmament which has eluded the world since the Second World War. Australia has lately played a specially useful role in promoting initiatives for disarmament. See Australia, Department of Foreign Affairs, An A to Z of Australian Disarmament and Arms Control Initiatives and Activities, AGPS, Canberra 1987.

The author of the book, Professor Starke is uniquely well qualified to write on the subject. He has served in a number of international agencies. His Introduction to International Law, now in its 9th edition, remains the best short, standard work on the topic in regular use in Australia.

This new book is actually a reprint of an earlier publication which collected a series of lectures given by the author at the Sorbonne in Paris in 1967. It examines the subject from the viewpoint of a lawyer with a deep knowledge of international law and experience in relevant international organisations. To the text of the 1967 lectures has been added a tenth chapter containing an "update" of a number of relevant international developments which have occurred in the last twenty years. It is easy for busy lawyers working within their municipal systems to overlook particular developments of international law, or to fail to see the ways in which these aggregate as part of a coherent pattern of law. It is also easy, with knowledge of conflicts in the Gulf, Nicaragua, Sri Lanka and Afghanistan to overlook significant achievements on the slow path towards a steady state of international peace. Professor Starke collects some of these in the last chapter. He also adds a useful updated reading list.

The way through the subject is shown from the detailed table of contents which opens the work. After a discussion of the meaning of "peace" and of the conditions favourable and unfavourable to a peaceful international order, as well as analysing the notion of disarmament, there are detailed chapters on the maintenance of peace (including so called

"peace-keeping" initiatives) and the restoration of peace (including the role of the Security Council in numerous listed hostilities). The importance of disarmament and arms control as preconditions to a transition to peace is discussed in some detail. So is the legal framework of peace and the contribution of international law to safeguarding it. The author does not exaggerate that contribution. Nor does he overlook the preconditions of an economic, cultural and religious character which will be necessary for enduring peaceful coexistence and international peace and security.

Of particular interest is an appendix which lists the notable peace plans proposed since the 13th century for harmony between nations. Many of the early items in this list reflect the international unity which was achieved in the face of a common enemy, eg the Turks or Islam. Later proposals respond to a more idealistic view about human rights which generally bore fruit in the American and French revolutions. Still more recently the impact of developing international law, and the provision of machinery for the peaceful resolution of conflicts, affect the proposals put forward. Most recently of all, the dire necessity to avoid the use of modern weapons of mass destruction adds a heightened sense of urgency. It is this last condition which gives the book a utility beyond the interests of the international lawyer and the diplomat.

The reprint of this book is to be welcomed. It is very well printed and there is an excellent bibliography and index. To the question what is the concern of this to the Australian lawyer, the answer comes: international law has a contribution

to make to peace. Unless we avoid major wars, all our efforts at home, including in the law, may be put at nought. But absence of war is not necessarily the same thing as a condition of stable international peace. If recent developments between the superpowers were actually to presage the conversion of "nuclear swords into plough shears", concern about the balances of the nuclear stand off might be turned to the intensive study of the very different condition of international peace and what it means for mankind. If this occurs, a good starting point for that study will be this reprint of Professor Starke's valuable insights.

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