

WORLD PEACE THROUGH DIPLOMACY AND LAW. By Roberto Regala. 1964. Manila: Central Books, Dobbs Ferry: Oceana. ix and 270 pp. \$5.50.

THE UNITED NATIONS AND THE RULE OF LAW. By John W. Halderman. 1967. Dobbs Ferry: Oceana. v and 2488 pp. \$7.50.

LEGAL ADVISERS AND INTERNATIONAL ORGANIZATIONS. 1966. Dobbs Ferry: Oceana. xviii and 124 pp. \$3.75.

Despite their disparate titles, the three volumes published by the Oceana Press and here under review are closely associated, in that they all deal with problems concerning the achievement of peace and law in modern international society.

Ambassador Regala is concerned with the contribution that may be made by diplomacy and law in this quest. In so far as diplomacy is concerned, he issues a *caveat* against diplomacy by summitry: "We must not create false expectations in regard to summit conferences . . . Our leaders now have to get used to dealing with each other not as chairmen of the boards of competing organizations. . . . If summit meetings do succeed in creating a condition of peaceful economic competition between the blocs, then it will be up to the diplomats, using their long-tested ways of getting men together purposefully and effectively, to make such competition work"<sup>1</sup> From the point of view of the student, Dr. Regala's *World Peace Through Diplomacy and Law* is interesting rather than valuable, for while it has an index it gives no indication of the sources of its various quotations, and in what is primarily a collection of speeches one has to delve in order to find what is more than a mere generalization: "With all its shortcomings and failures, the United Nations today represents man's best organized hope for peace. The United Nations will succeed if the peoples of the world acting either through their governments or other associations, such as your association or other Rotary Clubs, insist in giving unwavering support to the organization both in words and deeds. One thing should be made clear. The effectiveness of the United Nations is determined by the wisdom with which the member-states invoke the principle of national interest to each in the questions with which they deal in the United Nations"<sup>2</sup> (*sic*).

While the substance of the papers in this volume tend to be a little superficial there are the odd sentences which hold a spark of stimulating provocativeness which can sometimes be used as the starting point for discussion. In addition, and far more valuable, are the documents to be found in the appendices, including the Vienna Convention on Diplomatic Relations, the Test Ban Treaty and the Manila Agreement whereby Indonesia and the Philippines expressed their original sympathy for the establishment of Malaysia.

Far more valuable is Mr. Halderman's monograph on *The United Nations and the Rule of Law*, which starts from the premise, not always remembered, "that the Charter, as originally written and adopted, was never anything more than the framework of a potential system, and that it nevertheless did, and still does, constitute such a potential framework"<sup>3</sup> In analysing the scope of the rule of law, the learned author suggests

<sup>1</sup> At 26, 27.

<sup>2</sup> At 76.

<sup>3</sup> At 2.

that it is perhaps unfortunate that the United Nations and claimants before it do not rely more on equity as a measuring rod for rights. The trouble with this, however, is that concepts of equity are as subjective as is the Chancellor's foot. No one can question, however, his view that if law is to develop on the international level there must be provision for both 'stability' and 'change'.<sup>4</sup>

International lawyers are frequently accused of adopting an excessively 'legal' approach to world problems, leading to "the charge of being wrongly based on abstract idealism rather than on the political and power basis that 'realists' regard as the only true criterion of international conduct".<sup>5</sup> The author goes on to point out, however, that one of the purposes of law is to provide mutually acceptable standards of judgment, and "it is the potential role of the United Nations to provide such standards of a loose and flexible kind, together with the means of applying them, when necessary, in a way that will at least prevent outright conflict. [If this is to be achieved, however,] a 'transformation' of the contemporary world is necessary to the extent that the minimal elements of an effective rule of law must come to life in world public opinion".<sup>6</sup>

If such a realization by public opinion is to come about it will be essential that both States and international organizations are able to project themselves to the public in a way that the latter will understand and will accept. This gives an additional importance to their legal advisers who are frequently called upon to adjust legal requirements and rigidities with the realities of international political life. The small volume edited by Dr. Merillat on behalf of the American Society of International Law comprises a report of the 1965 Bellagio Conference which was concerned with *Legal Advisers and International Organizations*. The papers presented to the Conference dealt with such matters as organizational problems relating to the offices of legal advisers, the relations of such advisers with the organs of the institutions as well as with the members and non-members, staff rights and the like. In addition, there was some discussion of the problems facing newly independent States whose legal civil services may be rudimentary to say the least, and comment was made upon the need of the more experienced to assist others in developing their own legal technicians, and it is perhaps not sufficiently known to what extent the legal departments of some international organizations are already providing in-service training programmes to this end.<sup>7</sup>

The three books here mentioned contain a wealth of material for the student of international law and relations, while the person who contemplates going into government or international legal services would be well advised to read some of the material in *Legal Advisers and International Organizations*, as well as the related book in the same series on *Legal Advisers and Foreign Offices*, and Sir Francis Vallat's recent monograph on *International Law and the Practitioner*.

—L. C. GREEN\*

<sup>4</sup> At 22.

<sup>5</sup> At 213.

<sup>6</sup> At 214.

<sup>7</sup> At 44.

\* Professor of International Law, Department of Political Science, The University of Alberta.