

BOOK REVIEWS

Around the World in Seventy Days, by Brendan Francis Brown, New York Vantage Press Inc., 1976. xxii + 231 pp. \$7.50.

In many ways this is an absurd book. It consists basically of the account of a tour around the world undertaken by the author, professor of law at Loyola University of the South in New Orleans and formerly Dean of the Law School of the Catholic University of America in Washington, D.C. The tour, which was undertaken under the auspices of the United States Information Agency, took the author to Puerto Rico, Dakar, Johannesburg, Capetown, Nairobi, Karachi, Hyderabad (Sind), New Delhi, Bangkok, Singapore, Manila, Melbourne, Canberra, Sydney, Auckland and finally back to the United States. A great deal of the book is taken up with such details as the number of the flights on which the author travelled, his times of arrival and departure at his various ports of call, the meals he ate en route, his frustrations at various airports, his impressions of hotels and so on. More serious are his comments on the efficiency, or otherwise, of the various American officials who assisted him on his way. Thus, we are told that the three outstanding U.S. missions that the author encountered were in Karachi, New Delhi and Manila, whereas regrettably the receptions he received from the American officials in all three Australian cities that he visited were "on an inferior level". This leads Dr. Brown to make some general criticisms of the manner in which Cultural Affairs Officers of the United States are recruited and in particular their failure to expound that "the Voice of America is not unitary; there are really two voices". The two voices according to Dr. Brown, are those of naturalism and positivism. "One voice asserts that the legal order should implement the basic conclusions of a higher moral law. Another voice speaks for America in terms of a legal order, based on the balancing of force concepts. . . ." The same dualism is to be found in America's approach to international affairs. "One voice . . . insists that each state in the world has the duty, even in the absence of the legal formalism of a treaty, to follow the higher law, in the unfolding regimes of outer space and international environmental control. Another voice affirms the morally supreme will of each sovereign state in such matters". There is no doubt which is the voice of Dr. Brown. He has given his book the sub-title "On the Beam of the Natural Law, a Program for Peace".

Leaving aside the travel information already referred to, the book consists of the lectures delivered by Dr. Brown at various places *en route*. These covered such matters as Natural Law, Equity, International Environmental Law, Outer Space, Extradition and Legal Education. In Puerto Rico Dr. Brown pressed into service a natural law concept of the United States Constitution which would make Puerto Rico a state, though unincorporated under positive law, nevertheless "incorporated under natural law", from which, he claimed, mutual benefits would follow.

Dr. Brown's visit to Australia and New Zealand was marred by the fact that it took place in December, leading the author to refer to "deserted campuses". However, it is gratifying to note that he refers especially to the kind reception he received from the University of Sydney, in particular from Professor Stone who is complimented for his friendly attitude toward the naturalist point of view. In Sydney Dr. Brown lectured on "International Environmental Law and the Natural Law", making the point that the positive law was incapable of dealing adequately with the crisis of impending global deterioration and that the best hope lay in the implementation of the natural international law of the environment.

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South West African Mandate, by G. M. Cockram, Cape Town, Juta & Company Ltd., 1976, 531 pp. \$19.50.

The problem of South West Africa — increasingly referred to as Namibia, after the practice of the United Nations — has been before the United Nations continuously since the inception of that Organization. It has involved the International Court of Justice in giving four Advisory Opinions¹ and two Judgments.² In the Judgment of 1962 the Court decided by eight votes to seven that it had "jurisdiction to adjudicate upon the merits of the dispute" brought before it by Ethiopia and Liberia. In an action against South Africa, they were asking the Court to declare *inter alia* that, notwithstanding the demise of the League of Nations, South West Africa was still a mandated territory under the system outlined in Article 22 of the Covenant of the League of Nations; that the Union (as it then was) of South Africa continued to have the obligations stated in Article 22 "as well as the obligation to transmit petitions from the inhabitants of that Territory, the supervisory functions to be exercised

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¹ I.C.J. Reports 1950, 128; 1955, 67; 1956, 23 and 1971, 16.

² I.C.J. Reports 1962, 319 and 1966, 6.