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The Public Order of the Oceans

Myres S. McDougal

William T. Burke

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BOOKS

McDougal, Myres S. and Burke, William T. *The Public Order of the Oceans*. New Haven: Yale University Press, 1962. 1226 p.

Professor McDougal has published an impressive addition to his earlier analyses of the world community and international law. *The Public Order of the Oceans* deals with uses of, and activities on, internal waters, the territorial sea, and ocean areas adjacent to the territorial sea and the high seas. One significant chapter is entitled 'The Maintenance of the Public Order of the Oceans and the Nationality of Ships.' The skillful analysis of sea problems is constructed upon a methodology through which the author has called attention to the role of national claims in the international decisional process. Such claims may be for inclusive or exclusive uses, and for permissible or nonpermissible conduct. The author has again brought to bear the great wealth of his learning to the task of relating legal processes to preferred policy goals and values. The appendices set out the four recent international conventions on the Territorial Sea and the Contiguous Zones, High Seas, Fishing and Conservation of the Living Resources of the High Seas, and the Continental Shelf. This is an extraordinarily constructive and imaginative book on the international law of the sea.

Fehrenbach, T.R. *This Kind of War*. New York: Macmillan, 1963. 688 p.

T.R. Fehrenbach presents a factual, hard-hitting and authoritative history of the Korean War. He points out quite vividly the general lack of understanding and preparedness on the part of the United States Government and the American people at the beginning of the Korean conflict. Due to a psychological, as well as military, lack of preparedness, the American people were initially unable to cope with the communist threat to world peace. Psychologically, the American people were immersed in a 'peace mentality.' Traditionally, Americans have shown an unwillingness to prepare for combat, but given a 'cause'—a Pearl Harbor for example—they are quick to develop the mental attitudes necessary to go to war. Korea was slow to bring forth this warlike attitude. It was not a popular war, for it lacked exalted motivations. It was a war of policy, not a crusade. The main point the author makes is that the United States must be prepared to fight 'this kind of war' for a long time to come. To be ready to fight these 'policy wars' anywhere and everywhere throughout the world means we must have at all times a highly professional Army. Even in a peaceful society there must be maintained a body of men trained in requirements opposite to peace—trained to go to war, to fight and to kill. Without this professional military element, the peaceful society itself will be overwhelmed by the forces of communism and cease to exist.