

cases, but Mr Rockel is as vague about cure rates as were the controlling Tourist, Defence and Health Departments who consistently avoided, it seems, analysing the results of their ministrations, except in counting visitors. Finally, when tourism was entrenched as the main source of income in the 1950s, and antibiotics and chemotherapy had arrived, the Health Department announced that the waters were not 'miraculous cure-alls'.

*Taking the Waters* is well illustrated and doubtless will sell readily at Taupo, Rotorua, and elsewhere. Before the next edition falls due I hope Mr Rockel can be persuaded to enlarge upon the potentially fascinating aspects he has touched on in this first essay.

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*New Zealand in Vietnam: A Study of the Use of Force in International Law.* By Rupert Granville Glover. Dunmore Press, Palmerston North, 1986. 69 pp. NZ price: \$14.95.

THE INTERNATIONAL legal standing of the New Zealand government's dispatch of troops to Vietnam in 1965 is the focus of this book. The reasoning and observations along the way are more interesting than the conclusion eventually arrived at, because the source material is no more dramatic than official statements and the Pentagon Papers, the historical passages little more than introductory sketches, and even international law itself regarded as only 'the little sister of international politics'.

Four interlocked objections to the legality of New Zealand's intervention are dealt with. First, to the objection that the Government acted only politically in response to US and Australian pressure, and therefore a-legally if not illegally, the author answers that Holyoake resisted that pressure, considered his decision carefully, and justified his action explicitly by reference to national interests and international legal principles. Political pressure and legal reasoning led to the same result, but only coincidentally, so the one did not necessarily invalidate the other.

Second, in respect of the assertion that the Southeast Asia Treaty Organization (SEATO), and therefore New Zealand as a member, intervened unlawfully, the author shows that SEATO as such was never present in Vietnam, only members acting individually in response to invitations by the Republic of Vietnam. The government's invocation of SEATO obligations and recommendations was politically prudent but of no legal significance.

Third, to the objection that the Vietnam War was a civil conflict exempt from external interference, the author argues that it was still 'a war across international boundaries' (i.e. the interim boundary established by the Geneva Agreements of 1954) waged by two de facto governments, and thus constituted a breach of international peace, creating a presumption to action by those whose security was threatened.

Fourth and most important, to the accusation that New Zealand acted contrary to the UN Charter, the author replies that it was ultimately that Charter which gave New Zealand the legal grounds for its military action. For the action was explicitly taken pursuant to the right of self-defence specified in Article 51. Granted New Zealand was not directly attacked. In the government's judgement, however, New

Zealand's security interests in Southeast Asia — historical, economic, and political links with Vietnam's neighbours and more recent links with the Saigon government — were threatened by Hanoi's actions in South Vietnam. The 'domino theory', now in disrepute, was taken very seriously in its day, and the Japanese sweep throughout Southeast Asia and into the Pacific just two decades earlier was a living memory in the Holyoake Cabinet. In the Cabinet's view, the concept of collective defence, explicit in Article 51, further reinforced New Zealand's legal position.

To be sure, international law is not settled on how practically to distinguish between legitimate self-defence at a distance on the one hand and rationalized aggression on the other. It is possible that New Zealand's military action will be condemned by a future tribunal. But pending an internationally authoritative verdict, and setting aside questions of morality, the author concludes that 'New Zealand's intervention was probably legal'.

This conclusion will leave uneasy those who find Article 51's self-defence rationale stretched to the point of distortion and those who, in historical retrospect, find the government's judgement alarmist or cynical. The author concedes that a strong political element in the case study escapes the framework of legal reasoning, and argues only that he finds the government of the day made its judgements, reasoning, and decisions in good faith and that a prima facie presumption of legality prevails until overturned by a more authoritative assessment.

Whether convinced or not, the reader will welcome the insights into legal reasoning exemplified by this book and the clarification of contentious substantive issues of the Vietnam War period.

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*The South Sea Whaler.* By Honore Forster. The Kendall Whaling Museum, Sharon, Massachusetts, 1985. 157 pp., Price: \$US25.00.

THIS annotated bibliography of writing about whaling in the nineteenth-century Pacific Ocean was compiled by Honore Forster at the Australian National University and published by the Kendall Whaling Museum, a museum of great interest and assistance to all those interested in the whaling industry. It is an essential reference guide for students of whaling, and indeed anyone studying early Pacific maritime affairs.

The book is divided into different sections: contemporary personal accounts; general works; fiction; academic dissertations, articles and chapters in larger books; and newspapers and periodicals. There is also a very good index, with sections on vessels, islands, place names, whaling captains, and miscellaneous names. The production of the book is excellent although there is an occasional misprint.

Anyone interested in the history of whaling, or indeed even in writing nineteenth-century historical fiction set in the Pacific, would find this book useful. As one whose whaling publications are listed in it I can only add that I certainly wish Ms Forster's bibliography had been available when I was working on the subject.

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*Blenheim*