

# FOREWORD

by His Excellency Judge Nagendra Singh,  
President of the International Court of Justice

The subject of this learned treatise attracted attention for the first time immediately following the events of World War II. It also captured my imagination then, and in a work published by Stevens & Sons, London, in 1958 I addressed the problem of Nuclear Weapons and International Law. However, during the decades that followed, the subject attracted less attention, only to come back to prominence in recent years. With the Chernobyl incident this year and the expansion of nuclear weaponry, this topic has again become one of worldwide importance. Professor Weeramantry has used his legal talents, which are of an exceptionally high order, to produce a work of worldwide interest. It will serve the best interests of the community by enlightening both the common man as well as the specialist. He addresses the problem from the legal angle in a manner relevant to all who are interested in the rule of law and its use to evolve international peace.

The learned author is a distinguished scholar of that branch of the law which the International Court of Justice administers. I have an abiding interest in this particular branch of legal scholarship, and when the author approached me to write the Foreword, I acceded to his request for many reasons. First, I know the author well, and his sincerity as a scholar is indeed compelling. Secondly, the subject is now a prime concern of the law and of foremost interest to all who strive for the promotion of peace. Thirdly, the author enjoys a position of great advantage in writing on this vital subject. He comes from the Third World, being by birth and origin a Sri Lankan, but he also belongs to the great legal tradition of the English-speaking people and the Commonwealth. His cross-cultural perspectives give him much versatility in the legal field.

In regard to the book itself, I must say that what interests me most is the appeal to the scientist to adopt a human approach to a

problem which could destroy the entire race and with it all life on this planet. This appeal concerns not merely the peripheries of the scientist's activities, but goes to the core of the matter and is made at a critical hour in human history. The politicians often take no heed and ignore popular sentiments frequently expressed through persistent protests and mammoth meetings not merely in one country, but in several. To whom therefore could one appeal, except to the scientist who, having been responsible in the past for these discoveries, is even now actively engaged in finding still more devastating means to destroy all Creation? The author is right when he says the scientist must now give up his efforts in that direction and concentrate all his efforts towards promoting peaceful uses of nuclear energy to help and serve humanity but not to annihilate it and the great civilization that human effort has produced.

The book covers a wide spectrum, viewing the problem from several angles including, in particular, the deterrence aspect. May I, in this connection, quote my submission made on the 40th Anniversary Celebrations of the UN when the Court greeted Her Majesty, the Queen of the Netherlands, the Head of the host country of the World Court. I said:

The old adage had it that if you desire peace you must prepare war. The paradox has, however, turned sour, and though the Charter of the United Nations makes copious provision for a system of collective security, it is certain that the articles devoted to the social and economic development of mankind are more attuned to the candid logic of our younger generations, who say: if you desire peace, prepare peace.

This treatise, devoted to preparing peace through law, is therefore at once useful to students, instructive to politicians, and a warning to the scientists who must now take thought before so acting as to facilitate the destruction of their innocent brothers and sisters and of future generations by perfecting inventions which are purely destructive. The ancient saying of my country is "always endeavor to create so as to help and never even think to destroy, for beware one day that destructive habit may destroy you also."

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