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Introduction by Samuel Moyn, Harvard University

Julius Stone (1907-1985) was one of the great theorists of international law, and law generally, in the twentieth century. The son of Lithuanian Jewish immigrants to England, after his studies there and in America, Stone became Australia's most internationally renowned law professor. He assumed the Challis Professorship at the University of Sydney in 1942, and wrote influential books on jurisprudence and international law for several decades.

Sydney University Press has honored one of its host institution's greatest lights by publishing these first two installments, edited by Stone's heirs, of his radio broadcasts. The volumes begin with a series of talks to the Australian public in 1942, describing the nature of the wartime alliance against Germany and Japan and defending its "common cause." The balance of the material is from the first three postwar years, and much of it concerns the making of a new international order, a topic of current historiographical interest, and on which Stone was especially well-positioned to comment. (The editors indicate that further volumes going beyond 1950 are forthcoming.)

Both the 1942 addresses and those on international organization in the years of peace are useful documents because they match a penetrating intellect, strikingly well-informed from Stone's Sydney outpost, with some of the most fateful moments of recent world history. Most of all, they provide reminders of the issues that concerned contemporaries in real time, whether it was justifying crucial Soviet participation in the wartime alliance with Anglo-American forces against fascism – Stone's fulsome praise of the progressive Soviet constitution with its prohibition of racial discrimination is interesting, as is his optimism that the USSR could evolve beyond its early mistakes – or explaining the core feature of the new United Nations organization that formed in San Francisco in 1945. "The new charter is directed to one single problem," Stone remarks, "international security – security from violence in international relations. And though it deals with many other problems as well, it is only as related to that central problem" (1: 55).

After 1945, however, the balance of Stone’s attention does not dwell solely on formal international governance and related themes, interesting though those clearly were for the international lawyer Stone was. He devotes some attention, for example, to the new international criminal law unfolding from Nuremberg to Tokyo. But he goes far beyond these topics to provide astute commentaries on the politics of the globe in the round as it moved from the hottest war in human history into a Cold War climate. Students of decolonization will find much to ponder in Stone’s reflection on what is coming, from his evenhanded analysis of the burgeoning anticolonial nationalism and the West's temptation to reject it completely, to the nature of the new trusteeship arrangements that succeeded the League of Nations mandates system. Students of international economic governance will find Stone’s commentary on its postwar erection fascinating. And students of political history have at their disposal an array of new primary sources on the impact of atomic weaponry and on the step-by-step origins of Cold War hostilities.
H-Diplo has recruited two reviewers. In his excellent commentary, James Loeffler stresses the pragmatic and sociological approach Stone brought to international order in general and international law in particular. Loeffler demonstrates that Stone, a Jew by birth, navigated between cynicism and utopianism looking for workable models. I would add that the plight of the Jews after World War Two is a repeated theme in Stone’s lectures, whether when it is justifying Zionism to his Australian listeners or decrying the slow pace of immigration to Palestine at the time. Loeffler take the opportunity of Stone’s 1946 talks on human rights – one of the “many other problems” the United Nations was charged with taking up -- to observe that Stone applied his trademark middle way to them. Human rights had to mean something if they were not to be mere rhetoric, and a practical idealist would have to experiment with progress without waiting for utopia or retiring in defeat. We may not have moved on much from there.

The initial broadcasts need to be placed in the context of 1942 in Australia, and Joseph M. Siracusa’s useful essay provides a vivid picture of the anxious moment when Stone began his broadcasts. Siracusa also describes some of the ways Stone’s Australian location – though Stone was a new immigrant who had spent time in America and New Zealand before – affected the substance of the radio talks, to which I would add special mention of Stone’s attention to the stirrings of decolonization in nearby Indonesia as the Netherlands fought a counterinsurgency, an update on Western Samoa (held in mandate by New Zealand before the war), and a talk on Australia’s trusteeship of Papua New Guinea, and how it was supervised by the United Nations trusteeship council. Also drawing Stone’s attention was the work of Dr. Herbert Evatt, the Labour politician who served in these crucial years (1941-46) as the country’s external or foreign minister and was personally much concerned with United Nations affairs. Overall, the volumes provide an antipodean perspective to a transitional moment in world order often viewed from elsewhere.

Participants:

**Samuel Moyn** teaches law and history at Harvard University. His new book is *Christian Human Rights* (2015).

**James Loeffler** is Associate Professor of History at the University of Virginia. He is the author of *Rooted Cosmopolitans: Human Rights and Jewish Politics at the Twentieth Century* (Yale University Press, forthcoming) and co-editor, with Moria Paz, of *The Law of Strangers: Critical Perspectives on Jewish Lawyering and International Legal Thought* (Cambridge University Press, forthcoming).

“Practical international idealism”: Julius Stone and the Ambiguities of Postwar Internationalism

Recently a colleague jokingly observed to me that half the members of her history department have gone back to school to study international law. (The other half of the faculty is comprised, of course, of recovering lawyers.) There is truth in this quip. Historians in the United States today are ever more interested in the realm of international law. From American civil rights to European empires, there is little doubt that an international legal turn is well under way.

One could easily speculate that the explanation for this trend lies in American foreign policy in the post-9/11 era. Or perhaps it is the impact of the post-1989 genocides in Europe and Africa. The only thing certain is what is not driving this trend. Historians in the United States cannot be accused of pandering to public interest. On the contrary, Americans remain strangely incurious about international law. Conservatives today view international law with equal parts skepticism and animus. Liberals, too, appear equally content to remain nestled in the narrower precincts of the U.S. Constitution.

For our part, historians have done little to remedy this gap. Despite the profession’s anxiety regarding public engagement, few attempts have been made to bring international legal history to a broader audience. This is a shame. For who else is better suited to explain to the American public how and why U.S. policies and attitudes toward international law diverge so markedly from the rest of the world?

These reflections are prompted by the publication of *Letters to Australia*, a multi-volume anthology of radio addresses by the late Australian scholar Julius Stone (1907–1985). From 1942 to 1972 Stone was Challis Professor of Jurisprudence and International Law at the University of Sydney. During this time and after, he earned a worldwide reputation as one of the leading theorists of international law. Stone’s scholarly output included a host of profoundly influential books on, among other topics, the laws of war and peace, the United Nations, and human rights. His work crossed into the realm of policy as well. He advised the United Nations Secretariat, the Australian Government, and the Government of Israel, among others. He earned a particular distinction for inventing the idea of a direct telephone “hot line” between the Kremlin and the White House.¹

Over the same three decades, Stone also pioneered a new kind of public engagement at home in Australia. There, between 1942 and 1972 he produced a constant stream of weekly radio commentaries on global affairs for the Australian Broadcasting Cooperation.

Conversational in tone, something akin to President Franklin D. Roosevelt’s fireside chats, these contributions constitute a highly stimulating genre of short-form opinion pieces. The first two volumes of a planned comprehensive set of these texts have just appeared. They comprise 185 talks, ranging chronologically from mid-1942 to October 1948. Edited by Stone’s children, based on transcripts recently discovered in the Australian National Archives and the National Library of Australia, they are introduced by dual forewords by James Wolfensohn, former President of the World Bank, himself a student of Stone, and the prominent Australian scientist Gerald Westheimer.

Reading through this 1940s snapshot of Stone’s thought reveals a great deal about the uncertain character of liberal internationalism in the early postwar moment. Against both the extremes of “sky blue idealism” (II:26) and stone-cold realism, Stone voices his determination to make the case for a “practical international idealism,” remarking in 1945 that “sound internationalism requires us to avoid both the idealist illusion that machinery solves problems on the one hand, and cynical contempt for such machinery as the World Security and World Food organizations, on the other” (I:148). Consciously addressing his listeners’ fears about Cold-War tensions, rising Third-World nationalism, and declining British dominance, Stone elucidates the world organization’s strong potential to create order and to effect the peaceful resolution of conflicts. He calmly walks his listeners through a staggering range of global political crises and chaotic developments at the United Nations. But at times his confident, reassuring demeanor dips. There, we see a lawyer grappling with the fundamental ambiguities of international law’s place in the “crude and elementary reality of a world in which the two greatest powers, America and Russia, are unwilling to accept any other measuring rod for their claims than their strong right arm” (I:259).

Julius Stone was an unlikely Australian public intellectual. Born in Leeds, England, to immigrant Jewish parents from Russia, he grew up amidst desperate poverty. A scholarship to Oxford catapulted him into elite academic life. There, however, he faced the first of many direct brushes with antisemitism. Unlike other Anglo-Jewish lawyers of his generation, Stone did not downplay his Jewishness. His passionate Zionism further marked him as an uncouth foreigner in the eyes of the British establishment. Yet it also sparked his interest in international law. His first public writing was a 1927 legal brief against antisemitic quotas in continental European universities written for the World Union of Jewish Students. He went on to join in the organization’s late 1920s plan to build a pan-European Jewish university, to be located either in the Free City of Danzig or in Spain, where persecuted Jewish students from across Europe might seek refuge.

In the end, it was Stone himself who left Europe. Widely acknowledged for his brilliance, he was denied positions in England and at Harvard in the 1930s because of barely concealed anti-Jewish prejudice. His first permanent job came at a newly established law school in New Zealand. His appointment to the University of Sydney in 1941 succeeded only after a

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dramatic campaign fueled by intense antisemitism. The experience did little to quell his appetite for public controversy. In 1944, he published a fiery open letter denouncing a fellow Jew, Sir Isaac Isaacs (1858-1935), former Australian Chief Justice and Attorney General, for political passivity and anti-Zionism in the face of the Nazi Holocaust. This is the somewhat unlikely context in which he emerged for the first time as an Australian public intellectual.

For a highly engagé scholar, Stone’s radio talks are studiously impartial in tone and message. To liberals intoxicated with the prospects for global welfarism, he counsels clear-eyed attention to the enduring realities of Great Power politics. “[O]nly by recognising the framework of naked power in which we are seeking to establish a moral order,” he declares in August 1948, “only thus can we ever hope to make our support [for the UN] effective” (I:75). To the realists, he stresses that the “tragic problem of international war” cannot be wished away. Better, then, to confront it by building a system that will contain “chaotic conflict” and ease “mutual mistrust” among nations (I:262).

Having set himself the task of charting a third way between idealism and realism, Stone approached each week’s headlines in the guise of neutral observer. While his sympathies lie plainly with the West, he criticizes both the Soviets and the Americans for their rush into a new round of geopolitical conflict. He speaks unreservedly of Australia’s “Anglo-Saxon heritage” and enduring ties to the British Commonwealth. Yet he notes with pride how the country’s location in the Pacific Rim ensured that it would play the role of norm-setter in the global legal arena. For example, in discussing Australia’s handling of the Trusteeship question in New Guinea in 1947, he lauds the government’s policies as a model of how to balance moral and legal obligations to native peoples against state interest (II:26-27). The same year he ponders the difficult choice facing his country over whether to support Indonesian independence or accept the Dutch legal claims to sovereignty (II:22).

In these moments of conflict over legal interpretation, he displays his trademark brand of legal pragmatism. Stone developed this legal philosophy during a few crucial years spent at Harvard Law School in the early 1930s studying under Roscoe Pound, the legendary founder of modern sociological jurisprudence. Under Pound’s tutelage, Stone wrote what two books about the League of Nations international minorities’ protection regime. In these works, he argues that international law should not be judged only in terms of formal compliance and ratification. A true assessment of international law’s efficacy can only be determined by measuring its net effect on state behavior. In many cases, he concluded, investigation itself, even without legal remedy, could have a salutary effect on conflicts involving violations of international law. This sociological approach left Stone convinced that the League had provided a positive deterrent to even worse state violence and persecution against minorities, including his fellow European Jews in the interwar period.

Stone’s positive view of the League of Nations decisively colored his early assessment of its successor organization, the United Nations. The League’s weaknesses are well known, he tells listeners in 1946. But this should not disguise the fact that it achieved “effective action” in many instances: “The league broke down as an effective instrument because the United States kept out, because great powers, particularly Nazi Germany and Fascist Italy, refused to play according to any rules, and because French, British and Soviet policies as to what to do about that came into conflict. No different rule[s] ... would have made any difference” (II:229). As for the American abstention, he explains, it was economics, rather than political or legal factors, that ultimately shaped the United States’ position. The U.S. entered World War I as a debtor-nation that was hardly industrialized when compared to Europe. The Isolationist opposition to American participation in the League derived, more than anything else, from Midwestern Agrarian fears about economic competitiveness. By 1945, he notes, the United States had become a major creditor and industrial power. This ensured that the US would embrace the UN Charter in the interests of free trade. Explaining this reasoning to his listeners, Stone stresses that his was not a cynical view: “Ratification is good internationalism and good business,” because the “idea of national economic interest is a good thing” (I:65).

The problem with this account of state behavior, of course, is that states acting in their own rational interests can nevertheless arrive at fundamentally divergent positions on global problems. This is precisely where law, according to Stone’s model, should step in to mediate. Yet while promoting law, Stone emphasizes that machinery by itself cannot harmonize competing national interests. He concedes that conflict is inevitable. Here we arrive at the core tension in his liberal internationalism. To contain conflict, Stone insists, UN member-states must agree on a common approach to the rules they have created together. To do so, they must operate with a shared understanding of the underlying values governing the entire system. For Stone, the prime example of this problem is the Security Council Veto. For the UN legal system to work and produce collective action, the Great Powers must practice a responsible use of their veto power:

[T]he use of the veto on matters not of the most immediate and vital concert to the Great Power that uses it, damages the possibilities of peace. For it is by cooperation and compromise on the less vital matters that we might hope to build up the sense of community among the nations, which is essential to peace. If the veto is freely used on the less vital matters, the prospects are indeed poor. I do not know whether UNO yet has a suitable coat of arms. But I do know of a coat of arms that would be suitable. Its design is the veto rampant holding a pitchfork ardent impaled in the person of UNO couchant (II:230).

Stone offers a solution to cynical Great Power manipulation of the UN legal system: a shared understanding of what constitutes essential versus ‘less-than-essential’ pretexts for invoking the Security Council veto. But does such a set of common values exist? Throughout his commentaries, he voices contradictory opinions on this matter. Unsurprisingly, these inconsistencies become most conspicuous when Stone treats the subject of human rights.
Of late much ink has been spilt about the emergence of modern human rights in the 1940s. Yet, as I have described elsewhere, there remains a tendency to view this postwar moment in stark terms as either a true breakthrough or a total failure to launch. The dichotomy is a false one. The idea of human rights was based on an older concept, the Rights of Man, that had been newly reimagined in the wartime search for new solutions to an unprecedented European crisis. As diplomats and intellectuals began to explore ideas of decoupling individual rights from citizenship, they found no ready consensus about what this legal reality would look like. Hence liberal internationalists were much more ready to agree on the principle of announcing universal rights than they were to sacrifice the sovereign state as the primary vehicle for the delivery of those rights.

Stone’s mini-lectures allow us to see precisely the tentativeness and uncertainty over the meaning and prospects for human rights beyond the state framework at the time. Writing of the deliberations of the Commission on Human Rights about the idea of a legally binding covenant based on the Universal Declaration of Human Rights, he decries the lack of consensus among the Great Powers. The fact that human rights are at risk is “perhaps the greatest failure with which history will charge the great Allies—their failure in the warm comradeship of war to come to some common agreement as to what are the minimum governmental standards, economic as well as civil and political, required to secure human rights” (II:227). Similarly, when discussing the opposition to the 1947 Australian proposal for an International Court of Human Rights (what would become the International Criminal Court), he dismisses the critiques as “lamentably weak” (II:253). Some diplomats possess the “astonishing” temerity to argue “that the principles of human rights are not sufficient settled under international law, to impose on any state” (II:253). If the war taught the world anything, he says, it is that human life must be valued above property rights and state sovereignty.

Alongside these instances, however, we find points at which Stone displays a lawyer’s frustration with the vagueness of human rights rhetoric in the drafting of the Universal Declaration of Human Rights: “Most of us are impatient with mere talk about human rights, while they are being trampled in the dust in so many parts of the world. Yet that is all the more reason for continuing to protest against the reduction of wartime pledges to empty, vapid words...Paper guarantees are only a mockery to the oppressed” (II:254). Rather than waiting for some utopian moment in international law to arrive, the best way to proceed, therefore, was to place rights back in the realm of domestic law. Hence the postwar European treaties with defeated states should, according to Stone, have included human rights provisions in their constitutions.

What he did not mention is that this amounted to a repetition of the model of the Minorities Treaties of the League of Nations. There, despite subsequent misperceptions to the contrary, rights were completely contingent on individual citizenship (Minority rights, strictly speaking, only came to pass in the short-lived experiments with national-cultural
autonomy conducted by the Lithuanian, Ukrainian, and Baltic states in the immediate post-World War I period.) The logical corollary to this conclusion was not to overturn sovereignty, but in fact to strengthen and expand it. For if a state is the best guarantor of rights, oppressed minorities will be best served by having states of their own. In fact, this is precisely what Stone argues in 1946 in reference to his fellow Jews. Anticipating the argument of political philosopher Hannah Arendt, he notes approvingly the steps towards the creation in Palestine of a sovereign Jewish nation-state. Doing so is necessary to restore the “elementary Human Rights of Jews” (226). The ‘human rights’ Stone speaks of here really refer to the rights of citizenship. By contrast, any concept of legally constructed individual rights beyond the state framework vanished into the ether.

In one of his final commentaries, Stone takes up the curious case of Garry Davis. A young American Jewish man, Davis planted a tent on the grounds of the United Nations conference grounds in Paris in 1948 and renounced his nationality. His intent was to become a citizen of the world. For a few brief days, his presence created a worldwide media sensation. This lasted until the French police arrived to arrest him for the mundane crime of trespass. In a gentle ironic voice, Stone relays the poignant story. He sympathetically chides Davis for his youthful naiveté. If only there really were a way to step outside of the framework of nationality, one might even grasp a truly universal truth. Alas, he concludes, there is no such possibility. Moreover, even the attempt to do so is doomed to fail. Reality comes crashing down in the form of the French police, who bring their clumsy French nationality with its own French version of the truth. The listener comes away equally embarrassed by Davis’s utopianism and dismayed by the painful intrusion of state power. Both are necessary, and yet each in its own way is excessive. But in cancelling each other out, they leave a middle ground for Stone to champion his “true internationalism” in between the extremes of idealism and realism (I:9). It is hard not to imagine him signing off this particular radio broadcast. There he stands, in the narrow confines of the Sydney radio booth, feeling himself enclosed in a calm yet lonely place.

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In 1973, during a period of strained relations at that, Ambassador Marshall Green, the most senior State Department appointment ever made to Canberra, went out of his way to remind the National Press Club meeting in that city that “Old friends are best,” and “from an American viewpoint, there is no better friend than Australia.” A year later, echoing the theme of likeness and similarity, Green added: “One can emigrate from America or from Australia to America without really leaving home. Historical roots, language and literature, cultural experience, the common law, family values, civil liberty, religious freedom, sports, TV – I could go on – all of these form the symbiosis of Australia and the United States.” Twenty years later, in 1994, in a speech delivered by the newly appointed and influential U.S. Ambassador Edward Perkins, Australians were once again reminded that “Our two countries have a common language, a similar cultural environment and comparable business practices,” and though Perkins conceded that “Australians are not American, and we are not Australians,” he declared that “consumer awareness and expectation are similar.”

Needless to say, the appointment of one of America’s most distinguished African-American diplomats to Canberra made a favorable impression on the Australian people whose own history of race relations has at times been shocking. At the popular level and despite the fact they know next to nothing of Australia’s origins as a penal colony in 1788 and would be frankly hard pressed to say much about its government and people, the American people have long had an ongoing fascination with Australia. For instance, typical American surveys have indicated that of those interested in living elsewhere in the world, by far the greatest number chose Australia as the country where they would most like to live. (The 73 per cent return rate of American migrants to Australia is yet another story.)

Virtually millions of Americans have traveled to Australia. There were many important commercial contacts in the earliest years of Australian colonization, from the first settlement in New South Wales in the 1790s to the time of the gold fever in Victoria in the 1850s. Yankee sailors, whalers and explorers made their presence known for the next hundred years.

None was more significant, however, than the impact of one million American soldiers who poured into Australia during the Second World War, helping to lift the black blanket of despair which had covered the small Pacific nation of seven million during the time from the fall of Singapore in February 1942 to the Battle of the Coral Sea in May of that year. The impact was profound. The American ‘invasion’ of Australia was, by contemporary accounts, a matter of awe, curiosity and delight—with combined aspects of the crusader, the circus, and the gold rush. Moreover, it meant salvation to a brave but wholly unprepared people.

In a letter sent directly to U.S. President Franklin D. Roosevelt, dated 12 October 1942, American Ambassador Nelson Johnson told a story many Australians would rather forget:

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1 Both quoted in, Joseph M. Siracusa and Yeong-Han Cheong, America’s Australia: Australia’s America (Claremont, CA: Regina Books, 1997), 5.
The months of December 1941, January and February 1942 were cataclysmic in their effect on Australia and its people, and on their morale. The ability of the mother country to come to the aid of Singapore or of Australia brought home to the people of Australia, with the suddenness of an earthquake, the realization that the old security from attack through membership in the Empire was gone.2

Australia’s isolation disappeared, Johnson continued, with the dawning realization that Japan’s mastery of the air rendered Australia vulnerable to attack at any point on its coast. The realization that the pick of Australia’s young men were serving thousands of miles from home and that Australia’s fate depended upon the untrained militia conscripted under an Act of Parliament which prohibited service abroad; the realization that the Australian coast was practically undefended; the realization that Australia, while training airmen for service in Europe, had made no preparation whatever for defense at home and possessed no bombing planes or fighters capable of repelling attacks—all resulted in a situation of near panic.

People began to move from the cities and the coast. It was realized that the entire industrial plant of Australia was located on the east and south coasts, within yards of water front and within easy reach of any raiding part in the air or from the sea determined to destroy them. There was even talk of the abandonment of Canberra, which is only about seventy miles from the coast. This feeling of utter helplessness, superimposed on the disillusionment which had followed the depression of 1929, presented to the onlooker a tragic picture.

Johnson went so far to say that one had the feeling that Australia was ready to give up without a struggle and that if it had been possible to leave the country, people would have gone. For a time, he continued, the transportation system was clogged with people leaving Perth for the east, Queensland for the south, Melbourne and Sydney for the interior. People had begun to slip their moorings. Johnson also informed Roosevelt that Australians had only themselves to blame. They had, after all, refused to contribute to the cost of the Empire naval base at Singapore, disbanded the nation’s armed forces, refused to invest in naval or air protection and spent budget surpluses on social security.

Against the background of the Japanese sinking of the British capital ships, the Prince of Wales and the Repulse, off the east coast of Malaya on 10 December 1941 and the surrender of the British and Canadian garrison at Hong Kong on Boxing Day, 26 December, Prime Minister John Curtin told Australians in a New Year’s message what they needed to hear: “Without any inhibition of any kind, I make it quite clear that Australia looks to America, free of any pangs as to our traditional links or kinship with the United Kingdom.” And the reasons were simple. He went on:

Quoted in, Joseph M. Siracusa and David G. Coleman, Australia Looks to America: Australian-American Relations since Pearl Harbor (Claremont, CA: Regina Books, 2005), 20-22.
We know the problems that the United Kingdom faces. We know the constant threat of invasion. We know the dangers of dispersal of strength. But we know, too, that Australia can go, and Britain can still hold on.

We are therefore determined that Australia shall not go, and we shall exert all our energies toward the shaping of a plan, with the United States as its keystone, which will give to our country some confidence of being able to hold out until the tide of battle swings against the enemy.3

Curtin’s statement hurt him at home and in England and would be used against him politically in the future. But he knew exactly what he was talking about. The imperial trade-off, whereby the British navy, operating from Singapore, would provide a protective shield between the mainland and any threat from Asia in exchange for Australian troops to help defend England herself and the Suez, was finished. On 23 January 1942, the nation’s military chiefs advised the War Cabinet to hide from the Australian people their judgment that Australia would be unable to repel a Japanese invasion. In a meeting in Melbourne, the Chief of Naval Staff, Vice-Admiral Sir Guy Royle, apprised the War Cabinet that Australia was in considerable danger of invasion and would be unable to counter the Japanese advance. Dismayed by the assessment, the Government asked him how much it should reveal to the public about the apparent hopelessness of Australia’s military position. Advising the War Cabinet not to tell the public about the seriousness of the situation, he did tell the nation’s leaders to prepare to advise the people on how to act in the event of an invasion: “In the event of invasion people should remain in homes. Allow military to control roads and keep calm ....” When asked about the imminent invasion by Japanese forces on Rabaul, New Britain, Royle said that without control of the sea, there was nothing Australian forces could do but “fight like hell.”4 The problem was that the Vice-Admiral’s pessimism had already reached the troops. Several weeks later, on 15 February, Japanese forces, which had penetrated Malaya, captured Singapore from the North, by land, taking 60,000 prisoners, including 15,348 Australian troops, many raw, untrained men, with scarcely two weeks’ training. The fact that more than 8,000 of them deserted—the highest incidence from any army, anywhere, at any time—must surely have been known to the military leaders.

Things got worse. World War II came home to Australia on 19 February 1942 when Japanese planes bombed Darwin in the Northern Territory and Broome in Western Australia. Within fifteen minutes Darwin was destroyed as an operational naval base. Twenty-one ships were sunk or destroyed. Hundreds of people were killed or wounded, and rumors of invasion abounded. Australia’s outer defences were quickly vanishing. Curtin insisting to Churchill that he wanted the immediate return of the Seventh Australian

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3 Herald (Melbourne), 27 December 1941, found in, Glen St Barclay and Joseph M. Siracusa, Australian-American Relations since 1945: A Documentary History (New York: Holt, Rinehart and Winston, 1976), 11-12.

4 Quoted in, Siracusa and Coleman, Australia Looks to America, 23.
Division, now sailing towards the Pacific, tentatively scheduled for service in Burma. This was surely what External Affairs Minister Herbert Evatt meant when he returned to Washington in 1943 and confessed to the State Department that a year before he had believed that Australia had “one month to live.”

As it turned out, Evatt spoke of more than he knew. For, according to World War II scholar Gerhard L. Weinberg, while the evidence of Japanese leader Tojo Hideki’s views of postwar Australia is incomplete, there are solid indicators that the people of Australia—and New Zealand, too—could have anticipated an extremely harsh rule. Tojo did not involve himself in the day-to-day details of administration in areas that Japan controlled during the war, but he clearly approved the general system of military control, forced labor, the forcing of women into sexual slavery, and the ruthless exploitation of the subject economy. And while some portions of the expanded empire were to become puppet states on the model of that in Manchuria, the people of Australia were not to have a semblance of local rule: Australians were to be in a colony directly ruled from Tokyo. Australia was definitely in need of a boost when U.S. General Douglas MacArthur arrived from beleaguered Bataan on 17 March 1942. The Prince of Wales and the Repulse were at the bottom of the sea, Hong Kong and Singapore had fallen, Darwin had been destroyed, the bulk of the Australian fighting forces were still overseas, and the Japanese had landed on the east coast of New Guinea and had begun to advance overland along the Kokoda Trail towards Port Moresby. There was little wonder then, when Curtin greeted the American forces as “visitors who speak like us, think like us and fight like us and from whom therefore we can find a community of interest and comradeship ....” MacArthur reciprocated: “I am glad to be in immediate cooperation with the Australian soldier. I know him well from World War I days and admire him greatly.” (More than 59,000 Australian soldiers died in World War I, out of a population of 4.87 million.)

What ordinary Australians knew about World War II they mostly learned from the wireless, the Australian Broadcasting Commission (ABC), the nation’s state-owned and funded national public broadcaster. Before the war, the ABC, like its model the BBC, focused on light entertainment, information, and education – cultural uplift; after the entry of Japan into the war, the ABC also became an outlet for those with an urge to comment. These broadcasts - five, ten or 15-minute slots called News Commentary or Weekly Commentary or Notes on the News – gave voice to a new breed of ‘public intellectuals,’

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7 Siracusa and Coleman, Australia Looks to America, 24.

mostly thoughtful, insightful academics with a knack for influencing the public to develop an analytical stance in the world. The most famous of these commentators was the eminent University of Sydney law professor Julius Stone (1907-1985) whose radio commentaries on the ABC were the week's highlights. Declarative in tone, Stone's analysis of the course of events, especially in the war years, illuminated the informed public as well as strengthening national morale. More nuanced commentary came in mid-1945, with the war in Europe over, and victory over Japan in view.

Stone, the Challis Professor of Jurisprudence and International Law at the University of Sydney from 1942 to 1972, was a worldly scholar, with an extraordinary intellect, and a vast knowledge of and insights into global affairs. Born of Jewish immigrants from Lithuania, in 1907, at Leeds, Yorkshire, England, and graduated from Exeter College, Oxford in 1928, Stone accepted a Rockefeller Foundation fellowship to study at Harvard in 1932. He then became an assistant lecturer in jurisprudence at Harvard, working with Roscoe Pound, the dominant figure in American sociological jurisprudence, who greatly influenced his later work. In 1938, denied tenure at Harvard, Stone returned home and later took a lectureship at Leeds; in 1938 he was appointed Dean of Law at the University of Auckland. In 1942, Stone was appointed Challis Professor at the University of Sydney, in the face of anti-Semitic faculty opposition. The decades of his broadcasts coincided with his law career at the University of Sydney.

Discovered by his children in the National Library of Australia in 2006, some 20 years after their father's death, the transcripts of Stone's radio broadcasts from 1942 to 1972 have been published by Sydney University Press as Julius Stone, Letters to Australia: The Radio Broadcasts, 1942-72. The first publication of 185 commentaries, in two volumes, commences with thirteen delivered over a period of two months in the middle of 1942 when the war was going badly for the Allies and the lights were going out all over Europe; topics include, inter alia, the complexities of the Grand Alliance, the war's political, economic, and criminal aftermath, the birth of the United Nations; disarmament and control of nuclear weapons, the seedtime of the Cold War, and the role of the press. The remaining 172 talks, in volume 2, start in December 1945 with “Colonial Trusteeship – End of Beginning” and continue through to October 1948 when Professor Stone took up a visiting professorship in the U.S. Upon his return to Sydney in 1950 he resumed his commentaries, concluding in 1972, thirteen years before his death in 1985. Topics in volume 2 include the shift of power from Britain and Europe, McCarthyism in the U. S., the first moves towards Western European Union, and the stirrings of the fundamentalist violence that accompanied the early years of the Cold War. Another 400 broadcasts, from the 1950s through 1972, with commentary on the beginning of the end of the war in Vietnam, will be published in future volumes.

Professor Stone’s broadcasts of 1945 provide a rich, contemporaneous interpretation of the end of the Grand Alliance and the beginning of the Cold War, which he sharply attributes to “the use and non-disclosure of the atomic bomb ... as decisive facts in postwar history” (Vol 1, 219). Stone was especially persuaded that had Truman been more forthcoming about the knowledge of the atomic bomb with Stalin, the prospect of the international control of nuclear weapons would have been more favorable. For his money,
Stone believed that the insistence of the June 1946 Baruch plan on “requiring foolproof policing of disarmament . . . puts off the day of real disarmament negotiation, yet it looks to world opinion like an endorsement of the call for an international plan of disarmament” (185)” For Stone, the American position was natural enough, and so it was for the Soviet Union. In this, and in a number of other essays, Stone attempted to place the postwar struggle of the two superpowers within the concept of what English historian Herbert Butterfield once called the “terrible human predicament”: a situation in which even intelligent and reasonably well-intentioned leaders move inexorably toward conflict.9

There is also much in these broadcasts for students of the British Empire. Proud of his British heritage, while sensitive to Australia’s place in the family of nations that made up the British Empire, Stone clearly foresaw that future adjustments of the Commonwealth structure could no longer be accommodated within a single power system – the system of the British Empire. “Any redefinition of British Commonwealth relations,” observed Stone in October 1948, “must now be harmonious not only with the British power system, but with the global power system of the United States, and the regional power system of Western Europe – in the form of movement of Western European Union (Vol 2, 285).” This and similar observations, in the hundreds of radio broadcasts, published in these remarkable volumes, must have given his listeners pause.

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