

FOREWORD TO VOLUMES IX, X AND XI

Looking back at my original announcement of the planned systematic lay-out of this publication in nine Parts, now more than ten years ago (see my personal Introduction to Part I of 1968 at p. viii), I realize that I have been able to carry out that design unchanged, but at the cost of producing a volume VIII (devoted to inter-state disputes and their settlement) of a most unwieldy size. I have therefore decided not to repeat that mistake and so have split up my systematic Part IX into three separate volumes IX, X and XI. The first of these three volumes (IX) will include Part IX-A of my work and will deal with the laws of war; the second volume (X) will contain Part IX-B and be devoted to the law of neutrality; the third volume (XI) will comprise Part IX-C and deal with maritime prize law, a subject which occupies in fact the border area between the other two. The reason why I have been forced to abandon my original idea simply was that the source material respecting the three subjects, and even of any two of them, together increasingly appeared to be too copious to be crammed into a single volume of any reasonable size and must, therefore, be spread over three. Hence this rearrangement of the subject-matter which I have preferred to the other possible course, *viz.*, of producing three separate systematic Parts IX (on the laws of war), X (on the law of neutrality) and XI (on the law of prize), only because I have already referred in previous volumes of this publication to a combined Part IX-A/B/C on the three subjects together. The difference between the two editorial methods is, of course, merely formal.

The subject-matters to which the present and the next volume in the series will be confined are very different in character in that the laws of war have, up to the middle of this year, 1977, much resembled a stormy sea in contradistinction to the law of neutrality which can better be characterized as a stagnant pond. It is in particular the developing state of the laws of war which, together with circumstances of a personal nature, has unfortunately delayed the publication of the present volume. This delay was caused not only by my wish still to be in a position to deal with the results of a series of international negotiations: those of Vladivostok, Vienna, Helsinki, Geneva and Belgrade, symbolized by such initials as SALT I and II and MBFR; those of the four years' struggle in the Red Cross Conference, 1974-1977, to agree upon a new code of humanitarian rules of war, and those resulting in the conclusion

of a Convention against meteorological and comparable warfare, also adopted this year (1977) by another Geneva Conference.

But the delay was also due to the flow of jurisprudence concerning the legal situation in belligerent-occupied territories during World War II and the latter's aftermath in the hundreds of war crimes trials. This jurisprudence was so voluminous as to require careful examination, consideration and classification before its distribution over a systematic legal-historical work such as the present one attempts to be.

What remains after the appearance of this volume are, therefore, volume X which has been sent to the printers and volume XI which is for 90 per cent ready and will be the last of the series, save for a volume XII that is to contain consolidated indexes which I realize are indispensable to serve as guides through the eleven volumes and with which I hope it will be possible to round off my task.

This may well be my last opportunity to express my deep gratitude to the loyal group of collaborators who assisted me in my lone ride through the lush pastures of the ever-proliferating law of nations during the past twelve years. They have collected and checked source material, helped in translating a number of articles originally written in Dutch, French, German or Italian, checked my own English texts, provided for the essential typing assistance, and, most important, have prepared indexes and double-checked the extensive proofs. I wish to thank most warmly for their unstinted support and collaboration Miss M. M. Sibthorp O.B.E., Director David Davies Institute of International Studies, Mr. W. P. Heere of the International Law Institute of Utrecht University and Mrs. Polona Offerhaus-Stoop of the same Institute, and an ever-changing group of technical assistants. Without their help it would have been impossible for me to bring the enterprise to what I feel is a successful conclusion. *Valete vos omnes!*

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