PREFACE

A revised edition of *The World Court: What It is and how It works* is long overdue. Sixteen years have elapsed since the third edition came out in 1973. That is precisely the length of time for which I have been a Member of the Court and, from what I have seen during these years, it is high time that the book was updated. Several reasons justify this new edition.

From the merely formal standpoint it should be remembered that, in 1978, the Court adopted a new set of Rules, incorporating important developments in respect of many procedural problems. The revised Rules are aimed at maintaining the tradition of the Court whereby the parties are given the greatest possible freedom to present their points of view in full and also aim to guarantee a process in which all points of view can be presented. The new Rules take account of the experience gained over many years and they were the result of a detailed and thorough study that it took several years to complete.

Shabtai Rosenne has already provided us with a very useful study of these Rules in his book *Procedure in the International Court*.

One of the main development of the new Rules is the new approach to the constitution of Chambers. Article 17 of the Rules leaves room for a certain flexibility as to the composition of a Chamber, and has already paved the way to the formation of four chambers to deal with specific matters during the last eight years. It is perhaps too early to evaluate the possibility of constituiting chambers in relation to the work and the jurisprudence of the Court as a whole, but it cannot be denied that it has proved to be a way to settle certain disputes.

Another important development has been the changing attitudes of several States *vis-à-vis* the Court. Important public figures from leading countries with different political régimes have recently expressed, and repeated, their support for the judicial solution of many types of international disputes, including disputes arising under several treaties dealing with human rights.

It has to be recognized, however, that the number of States accepting the optional clause has remained stable, without any significant increase in number. Moreover, two important political powers have withdrawn from the system.

On the other hand, after a period of some aloofness from the activities of the Court, the developing countries are beginning to realize that the Court

does not merely express the judicial values of a certain part or parts of the world, but that it applies rules of international law, whose main purpose is precisely to protect the interests of the weak and to balance, in law, the power of States in order to attain an equality that does not exist in fact.

In sum, the Court is passing through a new and promising stage. It remains to be seen whether States will finally understand that third party adjudication in international disputes is not only the civilized way to settle those disputes, but is also more economical and less traumatical than the other means to that end.

Shabtai Rosenne has been a learned, hard-working and studious scholar of the work of the International Court of Justice, ever since it came into being. He has produced several authoritative and outstanding books on the Court, among which we should remember the classic *The Law and Practice of the International Court of Justice*, which is the most helpful work for those dealing with the everyday problems of the Court.

The present book is intended for another audience. As was stated in 1961, in the first edition, it was intended for 'the politician, the diplomat, the member of parliament, and the enquiring members of the public at large'. It is still the best introduction to the study of one of the institutions where man's hope for peace is best expressed: the International Court of Justice.

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