

THE WORLD COURT: WHAT IT IS AND HOW IT WORKS. By S. Rosenne.
[Leyden: Sythoff. 1962. 230 pp. D.F1.17.50; 35s.]

REPORTS OF INTERNATIONAL ARBITRAL AWARDS. Vol. X. Ed. by Codification Division, U.N. Office of Legal Affairs. [New York: United Nations. 1962. xvi + 779 pp. 64s.]

Dr. Rosenne, the Legal Adviser to the Ministry of Foreign Affairs of the State of Israel, has established himself as a leading authority on the law of the International Court of Justice. His two existing works on the subject are probably too

technical and detailed for most students of international law or the law of international institutions, unless they are making a specialised study of the Court.

In his latest work on the subject he has provided a most useful introductory handbook. He states that it is intended "to serve the politician, the diplomat, the member of parliament, and the enquiring members of the public at large, all who are interested in international affairs and the organs through which they are conducted, as a guide and introduction to the main factors which make the Court what it is and cause it to work as it does." Apart from these classes of reader, *The World Court* will serve as a valuable general guide for the student. It should not be thought, however, that the student pursuing international law as an examination subject will be able to dispense with Dr. Rosenne's larger studies or such works as Professor Schwarzenberger's *International Law*, in which he will find the law as it is applied by the World Court. To ascertain information as to the purpose of the Court, its organization and its *modus operandi*, however, this book could hardly be bettered.

An attitude has developed in some of the new States that the Court, and international law as such, is a reflection and a product of 'outmoded, western, capitalist' ideas. Dr. Rosenne is aware of this point, and agrees that the feeling that the law is too European is an undoubted disadvantage from the point of view of respect for the law and its interpreter. He also draws attention to the fact that, whereas before 1939 it was the small States which went to Court to protect their vested interests against the larger States, it is now the "Great Powers who are inclined to take refuge behind a formal position based on traditional international law when faced with claims by small and new States who object to the traditional position." On the other hand, his review of the attitudes of the Court leads him to the conclusion, "perhaps not sufficiently known," that the Court has shown itself both sympathetic and appreciative of the psychological attitudes of these small, newly independent States.

Among these latter, there is often the feeling that all international decisions date from the establishment of the World Court. In fact, this is far from being the case, and the World Court itself is authorized to have regard, in suitable cases, to the *jurisprudence* of earlier international tribunals. The awards of such tribunals are of course not binding, but merely serve as an indication of what earlier judges thought the law to be. Unfortunately, many of the reports of such tribunals have long been out of print and, from the point of view of new libraries, completely unobtainable.

Since 1948 the Legal Division of the United Nations has gradually been helping to fill the gap and the tenth volume of its *Reports of International Arbitral Awards* completes the story begun in the previous volume of the Venezuelan Arbitrations of 1903, which until now have only been available in Ralston's *Reports* of 1904 and 1906. The present volume reproduces the awards of the Commissions between Venezuela and France, Germany, Italy, Mexico, Netherlands, Spain, and Sweden and Norway, respectively.

These cases all arose out of the claims of foreign creditors against whom the Venezuelan Government had defaulted, and of topical interest, in the light of the United States quarantine of Cuba, is the view of Ralston in the *De Caro* case that "a non-effective or paper blockade is illegal, and cannot constitute the foundation of rights on the part of the government declaring it, but may create liabilities against such government."

The Legal Division of the United Nations has declared its intention of continuing to make available the texts of awards of the pre-1918 period and every law school, legal department of foreign office and University law librarian will be increasingly placed in its debt as further volumes of the *Arbitral Awards* become available.