

International Law, Justice Depictions and the ICJ

By Jacques Bellezit

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1. International Law and Cross-Cultural Contacts

Since the emergence of cultural studies between the first and second millennia, law has been analysed through the lens of its depiction and reception by the lay world. Law and legal institutions have since constantly dialogued with several forms of scientific disciplines, cultures, techniques, and material or immaterial artifacts in an ‘inter-, multi- and trans-disciplinary’ way. This intellectual approach blends “a social science component (taking the law as object) and a humanities component (law as discourse)”.¹ Whether in popular culture or by borrowing tools and methods from other disciplines, an ever-growing number of legal thinkers dedicate part of their work to studying law and legal institutions through a non-legal perspective and the eyes of the public. Contacts between different visions of ‘law and justice’, ‘reparations’ or ‘rendering justice’ have been raised in several situations.

How would, for example, the hybrid international jurisdiction of the Extraordinary Chambers in the Courts of Cambodia (‘ECCC’) – in a French-inherited civil law system, but mixing foreign and Cambodian judges – help an East-Asian country with Buddhism as state religion to heal after the Khmer Rouge regime and its horrors? An answer was suggested by Caroline Bennett when she wrote that the ECCC does “not entirely ignore Buddhism; [it] attempted to encompass a degree of the religion, as well as animism, within [its] limits: outreach projects have been conducted with the sangha, monks attend the court, civil parties frame their expositions within the court related to Buddhism, and like all Cambodian courts, the ECCC houses a neak ta (guardian spirit)”.²

In another field, architecture was mobilized in Australia to integrate cultural elements of Aboriginals in designing courts, trying to free new court buildings from purely British Empire aesthetics. For instance, the importance in Aboriginal cultures to keep a link with the ground led to include alternatives to lifts. Aboriginal cultures’ appreciation of always seeing the outdoor environment has motivated the installation of glass panels to avoid a sense of enclosure.³

In Europe, a new European Court of Human Rights building was inaugurated in 1995: “Built under the direction of Lord Richard Rodger, the compound not only contains four slabs of the Berlin Wall, but the whole architecture of the building has a symbolic meaning:

[...] the armor-like aluminium is a guarantee of independence and neutrality; the glass represents transparency and the accessibility of justice; and the concrete indicates that nothing here is superfluous [...]”.⁴

From popular culture, architecture or the depiction of international criminal law through a TV show,⁵ several tools can be mobilized to think about law and the representation of justice in a cross-cultural context.

Since 1945, the International Court of Justice (‘ICJ’)⁶ reflects the aims of the United Nations (‘UN’) to uphold “the principles of justice and international law, adjustment or settlement of international disputes or situations”.⁷ Sharing its headquarters with the Permanent Court of Arbitration and the Hague Academy of International Law in the Peace Palace in The Hague, the ICJ deals with important contentious cases or requests for advisory opinions.⁸ As every UN Member State is *de facto* party to the Court,⁹ its floor is open not only to two sovereign States in litigation,¹⁰ but also to a State facing several others.¹¹

⁴ European Court of Human Rights, “The Human Rights Building, Seat of the ECHR” (available on its web site).

⁵ Jacques Bellezit, “JAG’s ‘The People v SECNAV’ (Season 9, Episode 14): Depiction of International Criminal Jurisdiction in a 21st Century US Legal Drama”, in *Indian Journal of Law and Legal Research*, 2024, vol. 5, no. 6, pp. 4986–4992.

⁶ Article 92 of the United Nations Charter (‘UN Charter’), 26 June 1945 (<https://www.legal-tools.org/doc/6b3cd5/>).

⁷ *Ibid.*, Article 1(1).

⁸ As it is displayed on the “Case” page of the ICJ’s web site: “Between 22 May 1947 and 29 April 2024, 195 cases were entered in the General List”.

⁹ UN Charter, Article 93(1), see *supra* note 6, and Article 35(1) of the ICJ Statute, 26 June 1945 (<https://www.legal-tools.org/doc/fdd2d2/>).

¹⁰ Among many other examples, one can think of border settlement disputes such as the ‘Snake Island case’ (*Maritime Delimitation in the Black Sea (Romania v. Ukraine)*), Judgment, 3 February 2009, ICJ Reports 2009, p. 61 (<https://www.legal-tools.org/doc/b74a10/>) or ‘State liability for violation of its international obligations’ (*United Kingdom of Great Britain and Northern Ireland v. Albania (Corfu Channel Case)*), Judgment, 9 April 1949, ICJ Reports 1949, p. 4 (<https://www.legal-tools.org/doc/861864/>).

¹¹ In cases such as the ‘Monetary Gold’ case (*Case of the monetary gold removed from Rome in 1943 (Preliminary Question)*), Judgment, 15 June 1954, ICJ Reports 1954, p. 19, in which Italy sued France, the United Kingdom and the United States (<https://www.legal-tools.org/doc/a23855/>). One can also consider procedures initiated by rump-Yugoslavia against 10 North Atlantic Treaty Organization Member States in the cases *Legality of Use of Force*, General List Nos. 105–114, see *International Legal Materials*, 1999, vol. 38, p. 950. See Thomas Bruha, “The Kosovo War Before the International Court of Justice – A Preliminary Appraisal”, in Christian Tomuschat (ed.), *Kosovo and the International Community: A*

¹ Jennifer L. Schulz, “What Is Cultural Legal Studies?”, in *Manitoba Law Journal*, 2021, vol. 44, no. 2, p. 143.

² Caroline Bennett, “Karma after Democratic Kampuchea: Justice Outside the Khmer Rouge Tribunal”, in *Genocide Studies and Prevention: An International Journal*, 2018, vol. 12, no. 3, pp. 68–82.

³ Thalia Anthony and Elizabeth Grant, “Courthouse Design Principles to Dignify Spaces for Indigenous Users: Preliminary Observations”, in *International Journal for Court Administration*, 2016, vol. 8, no. 1, p. 43.

Reinforcing its original goal not only to solve disputes and legal questions but also to foster an international community¹² by including “representation[s] of the main forms of civilization and of the principal legal systems of the world”,¹³ the ICJ often receives and hosts gifts and organizes ceremonies seeking to build this international community. Some 55 artifacts are listed in the Court’s 68-page “Official Gifts and Donations Booklet” (“Booklet”), originating from several countries and cultural areas around the world.¹⁴ While Aalberts and Solk have studied how “transnational gifts and local bureaucracy” surrounding the Court contributed to building an international community focusing on “gift-giving as a ritualized practice”,¹⁵ this policy brief addresses what we can learn from the Booklet’s list in terms of depictions of international law and justice-rendering.

2. An Incomplete Depiction of International Law Symbols

This assertion can be deduced, first, by the official name of the document. In English, the word ‘booklet’ means ‘a little book’, whereas the French official name is *Dons et Présents officiels : une collection de pièces offertes à la Cour internationale de justice*. It uses ‘a collection’, not ‘the collection’, as the “Peace Palace is not a museum”. Its art collection does not have (and never had) the purpose of being analysed by art critics as would be the case with an artist’s ‘catalogue raisonné’.¹⁶ As stated by Registrar Philippe Gauthier: “Although the Peace Palace is not a museum, its many treasures, on display in the historic building and the gardens, are admired by thousands of visitors each year [...] as a token of [...] appreciation for the Palace as a symbol of peace and justice”.¹⁷ Moreover, the Booklet’s and the Peace Palace’s web sites underline that “States, judges and others” are the donors.

Whereas Aalberts and Solk have underlined the role of States in a (not-so) soft-power policy,¹⁸ one may be surprised that “judges and others” can be donors as well. Under the “Judges” theme, the Booklet mentions “Donations from former judges of the PCIJ and ICJ”,¹⁹ amounting to 36 artworks, while official State gifts to the Court count 19 pieces. It appears to be judicial-diplomatic custom that “former presidents of the PCIJ and the ICJ have presented the Court with a gift at the end of their term of office”.²⁰ It extends to former members of the Court offering gifts at the end of their term,²¹ for instance, Judges Robert Finlay,²² Didrik Nyholm,²³ Sir Hersch Lauterpacht²⁴ and Kenneth Keith.²⁵ Some former judges do not appear in the Booklet as hav-

ing offered presents, such as Antonio Augusto Cançado-Trindade and Sir Elihu Lauterpacht, although both left their mark on the evolution of international law on an academic or intellectual level.²⁶

If, for States, such gifts are seen in the light of *comitas gentium*²⁷ or a Maussian conception of international relations,²⁸ the practice of individual donations may surprise as the international judges in The Hague enjoy, as independent magistrates, *ex officio* immunity until the end of their term of service.²⁹ The practice of individual gift-giving should neither be seen as a State’s diplomatic activity nor as the act of an ordinary individual. This may explain why some judges have provided several gifts to the Court. The late Indian Judge (then Vice-President and President of the Court) Nagendra Singh³⁰ gave his portrait, a brass vase, and a bust of himself.³¹ Former Salvadorian Judge Gustavo-Guerrero provided two portraits painted by separate artists.³² Judge Manfred Lachs gave a portrait of himself,³³ while a bust of Judge Lachs was offered by Poland in 2014 as a tribute to Lachs’ 26 years of service to the Court.³⁴

The works described in the Booklet cannot be separated from the Peace Palace’s wider collection. According to its “State Gifts” web site section,³⁵ the Palace hosts around 48 pieces of art and materials, or devices that were included or installed on the premises. Examples include the Swiss-provided tower clock³⁶ or the Swedish and Norwegian batches of granite.³⁷ Gifts or materials offered to enhance the construction or aesthetics of the Palace may be distinguished from those provided as autonomous, traditional diplomatic gifts.

Aalbert and Solk have pointed out that “stained-glass windows and paintings [of the Peace Palace] suggest that this aspirational ‘universalism’ largely stemmed from a Eurocentric Christian heritage”, but this thesis may be undermined as the Japanese Gobelins are hosted in the eponym ‘Japanese Room’ of the Court, which also displays Turkish carpets and Chinese vases in “an oriental manner”.³⁸ The latter items were provided between 1910 and 1920, in the last years of the Japanese Meiji era and the Ottoman and Chinese Qing empires, which arguably aspired, in different ways, to be in line with Western conceptions. Furthermore, if stained-glass windows – offered to the Court by the United Kingdom³⁹ and the Netherlands⁴⁰ – are mainly

²⁶ *Inter alia*, Judge Elihu Lauterpacht founded the International Law Center of the University of Cambridge (later known as the Lauterpacht Centre for International Law, as a tribute to Sir Elihu and his father, Sir Hersch Lauterpacht, both respected ICJ Judges). On his side, Judge Cançado Trindade advocated for the recognition of international legal personality for physical persons (see, among others, “International Law for Humankind: Towards a New Jus Gentium – (I). General Course on Public International Law”, in *Recueil des cours de l’Académie de Droit International de La Haye*, 2005, vol. 316, pp. 9–440, and “International Law for Humankind: Towards a New Jus Gentium – (II). General Course on Public International Law”, in *ibid.*, 2005, vol. 317, pp. 9–312).

²⁷ “There are many international acts, e.g., in the field of ceremonial and protocol, which are performed almost invariably, but which are motivated only by considerations of courtesy, convenience or tradition, and not by any sense of legal duty”, *Case Concerning North Sea Continental Shelf (Federal Republic of Germany v. Denmark)*, Judgment, 20 February 1969, ICJ Reports 1969, p. 3, para. 77 (<https://www.legal-tools.org/doc/38274a/>).

²⁸ Aalbert and Solk, 2022, p. 173, see *supra* note 12.

²⁹ See Articles 2 and 19 of the ICJ Statute, *supra* note 9.

³⁰ ICJ, “Death of Former President Nagendra Singh”, 13 December 1988, Press Release no. 1988/23.

³¹ Booklet, pp. 47 and 45, see *supra* note 14.

³² *Ibid.*, pp. 35 and 37.

³³ *Ibid.*, p. 43.

³⁴ *Ibid.*, p. 26.

³⁵ Peace Palace’s web site, “State Gifts” section.

³⁶ *Ibid.*, “Switzerland” sub-section.

³⁷ *Ibid.*, “Sweden” sub-section.

³⁸ *Ibid.*, “Art and Interior” section, “Japanese Room” sub-section.

³⁹ *Ibid.*, “State Gifts” section, “Great Britain” sub-section.

⁴⁰ *Ibid.*, “Netherlands” sub-section.

Legal Assessment, Brill Nijhoff, Leiden, 2001.

¹² Tanja Aalberts and Sofia Solk, “Building (of) the International Community: A History of the Peace Palace Through Transnational Gifts and Local Bureaucracy”, in *London Review of International Law*, 2022, vol. 10, no. 2, pp. 169–202.

¹³ Article 9 of the ICJ Statute, see *supra* note 9.

¹⁴ ICJ, *Official Gifts and Donations: A Collection of Items Presented to the International Court of Justice*, 2022 (“Booklet”).

¹⁵ See *supra* note 12.

¹⁶ Jonathan Franklin, “From Inventory to Virtual Catalog: Notes on the ‘Catalogue raisonné’”, in *Art Documentation: Journal of the Art Libraries Society of North America*, 2003, vol. 22, no. 1, pp. 41–45.

¹⁷ Booklet, Foreword, p. 7, see *supra* note 14.

¹⁸ See the examples mentioned by these authors of the “massive jasper vase measuring over 11 feet in height and over 3,000 kilograms in weight” or the “9 Gōshū silk wall tapestries” as Russian and Japanese eagerness to affirm their membership of the group of so-called ‘civilized nations’.

¹⁹ Booklet, pp. 28–54, see *supra* note 14.

²⁰ *Ibid.*, p. 27.

²¹ The Registry of the Court confirms this: “The Court’s portrait collection, which also includes portraits of non-presidents, is mainly displayed in [the Green and Red] [R]ooms [...]” (Booklet, p. 27, see *supra* note 14).

²² Former Permanent Court of International Justice (‘PCIJ’) judge (1922–1929), *ibid.*, p. 31.

²³ Judge of the PCIJ (1922–1930), *ibid.*, p. 32.

²⁴ Judge of the ICJ (1955–1960), *ibid.*, p. 40.

²⁵ Judge of the ICJ (2006–2015), *ibid.*, p. 57.

associated with Christian religious architecture, the stained-glass technique is also part of the Arabo-Persian heritage.⁴¹ We could also mention the carpets offered by the then Governor of Mecca-Hejaz⁴² or the Romania-provided “Kilims carpets”⁴³ whose origins and areas of location spread from the Near East to the Balkans.

In the third chapter of his magister opus *The Gift: The Form and Reason for Exchange in Archaic Societies*,⁴⁴ Mauss discusses the place of gifts in Ancient Roman, Germanic, Hindu, Celtic and Chinese legal systems, far from a Christian perspective. Through these (not exhaustive) examples, we can see that the Peace Palace’s collection (including what is in the Booklet) is in line with the ICJ’s above-mentioned goal of “representation[s] of the main forms of civilization and of the principal legal systems of the world”. In our eyes, the Booklet mirrors such representations.

3. A Mirror of Legal and Diplomatic Conceptions

As most of the gifts are often inaccessible to visitors, the Booklet is a way to introduce them to the melting pot of civilizational approaches to legal conceptions. According to the Booklet, the “significance of a particular gift is explained by a high-ranking official of the donating State at a ceremony attended by Members of the Court and other distinguished guests”.⁴⁵ Such explanation may be unavoidable as meetings of several and various forms of civilization can heighten the risk of what Neumann refers to as “culturally irrelevant gifts”: “Gifts whose meaning is culturally and ritually specific to the sender [...] may prove of little value to a receiver that is culturally and ritually uninitiated”.⁴⁶

We may wonder whether the explanation by a “high-ranking official” of the giving State underlines the cultural significance of this gift and its link to – or the balance between the gift’s national significance and its relevance to – international law. In other words, this “high-ranking official” acts as an agent between the State⁴⁷ and international law as a concept, represented by the World Court. By their explanations, the State-agents introduce their government’s gift somewhere between these two conceptions.

We might classify a ‘State gift’ in one of two main categories: (a) pursuant to aesthetics or cultural significance, such as the Persian carpet⁴⁸ or the Berber jewels;⁴⁹ and (b) in furtherance of concepts such as law, justice, and peaceful settlement of disputes: for example, the bronze plaque entitled “The peaceful resolution of disputes” offered

by Sri Lanka, showing “two warring chieftains, poised to engage in battle, breaking their weapons and laying them at the feet of the Buddha”⁵⁰ or the “Cast of column VI of the Gortyn Code”. Offered by Greece, this latter fifth century BCE text “codifies the civil law”.⁵¹ We can also mention the Iraqi replica of the famous Hammurabi Code and its “282 laws dealing with all aspects of life”,⁵² a text studied by legal as well as Orientalist scholars, widely regarded as the first complete and organized legal system.

This classification is not as rigid as it seems: items may belong to both categories, for example, the sculpture of the Ancient Egypt Maat goddess,⁵³ which was the “goddess of truth, justice, morality and balance”. This illustrates how culturally significant figures can also prove States’ commitment to resolving disputes in a friendly manner. These figures of ‘wise judges’ – as God-like characters rendering justice *ex aequo et bono* or following established legal rules (as does the ICJ)⁵⁴ – can be found in several cultural areas and hence in the Booklet.

4. Depiction of the ‘Wise Judge’

The above-mentioned Cambodian *neak ta* statue at the ECCC mentioned by Benett and the Egyptian Goddess Maat are both depictions of the ‘wise judge’ character. It can also be found in Buddhist countries, as in Sri Lanka’s plaque alluded to above. Buddha’s wisdom is depicted in Nepal’s gift, described in the Booklet as “[c]ast from copper alloy and fully gilded with 24 karat gold [...] a representation of Buddha Shakyamuni”. Buddhist teachings were also offered to the Court by Thailand under the form of an “80-volume [collection of] Buddhist scriptures” known as the “World Tipitaka Edition”.⁵⁵

Apart from religion-inspired ‘wise judges’, the “He tāngata: statue of a judge” offered by former Judge Kenneth Keith (New Zealand) is noteworthy. Described as a “wooden statue representing a judge dressed in traditional wig and robe”, reminding us of the archetype of a common law judicial actor, the name of the statue “refers to an expression taken from the Māori proverb ‘He aha te mea nui o te ao? He tāngata he tāngata he tāngata’ (‘What is the most important thing in the world? It is the people, it is the people, it is the people’)”. We can hypothesize that this statue is an incarnation of the co-existence between traditional Māori and European-descent (*Pākehā*) communities of New Zealand, expressed in a justice-rendering figure.⁵⁶

⁵⁰ Booklet, p. 13.

⁵¹ If international law disputes presented before the Court do not aim to imply natural persons directly, some of the Court’s judgments have a direct impact on such persons: one can think of the ‘Bolle’ case (*Case concerning the Application of the Convention of 1902 governing the Guardianship of Infants (Netherlands v. Sweden)*) or the ‘Jadhav’ case (*Jadhav (India v. Pakistan)*, Judgment, 17 July 2019, ICJ Reports 2019, p. 418 (<https://www.legal-tools.org/doc/ftundk/>)). The scope of this brief does not allow us to further develop the contemporary growing topic of human rights law before the Hague Court. See Shiv R.S. Bedi, *The Development of Human Rights Law by the Judges of the International Court of Justice*, Bloomsbury Publishing, London, 2007; Martin Scheinin, “The ICJ and the Individual”, in *International Community Law Review*, 2007, vol. 9, no. 2, p. 123–137; Rosalyn Higgins, “Human Rights in the International Court of Justice”, in *Leiden Journal of International Law*, 2007, vol. 20, no. 4, pp. 745–751.

⁵² Booklet, p. 23, see *supra* note 14. Code of Hammurabi, 1792–1750 BCE (<https://www.legal-tools.org/doc/d2y90s86/>).

⁵³ *Ibid.*, p. 14.

⁵⁴ Articles 38(1) and 38(2) of the ICJ Statute, see *supra* note 9.

⁵⁵ Booklet, p. 18, see *supra* note 14.

⁵⁶ The reconciliation process between Pākehā and Māori communities in New Zealand involves what is known as the Waitangi Tribunal, a *sui generis* institution. Marie-France Chabot, “Le Tribunal Waitangi et les droits des autochtones”, in *Les cahiers de droit*, 1991, vol. 32, no. 1, pp. 59–85; Colin Newbury, “The Waitangi Tribunal and New Zealand History”, in *The English Historical Review*, 2005, vol. 120, no. 489, pp. 1469–1471; Guy M. Robinson, “Treaty and Tribunal: Redressing Longstanding Grievances in Aotearoa/New Zealand”, in *The Round Table*, 2002, vol. 91, no. 367, pp. 613–624. On reconciliation, law and arts, see Rachel Kerr,

⁴¹ Zahra Sadat Abooei Mehrizi and Mohsen Marasy, “The Comparative Study of Art of Manufacturing Orosi and Stained Glass Windows in Iran and Europe”, *Journal of History Culture and Art Research*, 2017, vol. 6, no. 6, pp. 233–243.

⁴² Peace Palace’s web site, “State Gifts” section, “Mecca/Hejaz” sub-section. Note that the current Kingdom of Saudi Arabia was founded as such in 1927, following the dismantlement of the Ottoman Empire.

⁴³ *Ibid.*, “Romania” sub-section. For further information on Kilim carpets, see Yanni Petsopoulos, *Kilims: Flat Woven Tapestry Rugs*, Rizzoli, Milano, 1979.

⁴⁴ Marcel Mauss, “Essai sur le don. Forme et raison de l’échange dans les sociétés primitives”, in *Année Sociologique, seconde série*, 1923–1924. For an English version of this text, see Marcel Mauss, *The Gift: The Form and Reason for Exchange in Archaic Societies*, Routledge, 1990 (originally published in 1925).

⁴⁵ Booklet, p. 3, see *supra* note 14.

⁴⁶ Iver B. Neumann, “Diplomatic Gifts as Ordering Devices”, in *The Hague Journal of Diplomacy*, 2021, vol. 16, no. 1, pp. 186–194.

⁴⁷ See Article 42(1) of the ICJ Statute, *supra* note 9.

⁴⁸ From Iran, Booklet p. 5, see *supra* note 14.

⁴⁹ Offered by Algeria, *ibid.*, p. 10. Their non-figurative nature may be linked to religiously related constraints on the representation on divine figures. See, *inter alia*, Kimberley Mielle, “L’interdit de représentation dans les religions abrahamiques et la liberté d’expression” [“The Prohibition of Representation in Abrahamic Religions and Freedom of Expression”], Master’s Thesis, Université Aix-Marseille, 2021; James Harkness, James (ed.), *Michel Foucault: This Is Not a Pipe*, University of California Press, Oakland, 2008.

Another statue described in the Booklet is the Nigerian gift, a “cast bronze sculpture depicts a Benin monarch standing on a rostrum and holding a staff of office”.⁵⁷ The “staff of office” is an attribute of sovereignty and *juris dictio*. Indeed, such attribute exists in various forms in other cultural areas as *regalia*: one can think of the Japanese sword ‘Kusanagi-no-Tsurugi’ or its United Kingdom counterpart, the ceremonial ‘Sword of Mercy’.

The Booklet further depicts major judges and jurisconsults, such as Francisco de Vitoria, seen as one of the fathers of international law,⁵⁸ offered by Spanish authorities including “the Mayor of Vitoria, [...] and elected representatives of the city of Vitoria”.

Do the portraits and representations of former judges and presidents of the Court contribute to enhancing the vision of a ‘wise judge’? One may think so, because this ideal is underlined in Article 1 of the Court’s Statute: they are required to be “persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices or are jurisconsults of recognized competence in international law”.⁵⁹

However, since this ‘wise judge’ is an ideal in the Platonic sense of the word – a concept unintelligible to the human mind – ‘wise judge’-related artworks of the ICJ can be interpreted as a tentative to materialize this ideal.⁶⁰

Moreover, the Third World Approaches to International Law (‘TWAIL’), a doctrinal movement related to decolonization, criticizes a ‘Western’ vision of international law as a tool of domination,⁶¹ and argues for the legitimacy, if not the necessity, of developing countries playing their role in shaping international law. Former ICJ President Yusuf underlined this in his Declaration in the *Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)* case: “African Governments [...] need to develop and use their own expertise to negotiate, draft, and advise on the rules and obligations of international law to which they wish to subscribe”.⁶² In this context, the ‘wise judge’ figure in the ICJ’s art collection can further dialogue between divergent doctrinal visions of international law.

“Art, Aesthetics, Justice, and Reconciliation: What Can Art Do?”, in *AJIL Unbound*, 2020, no. 114, pp. 123–127.

⁵⁷ Booklet, p. 11, see *supra* note 14.

⁵⁸ See, *inter alia*, James Brown Scott, *The Spanish Origin of International Law: Francisco de Vitoria and His Law of Nations*, The Lawbook Exchange, New Jersey, 2000.

⁵⁹ ICJ Statute, Article 1, see *supra* note 14.

⁶⁰ Stephen Watt, “Introduction: The Theory of Forms (Books 5–9)”, in Plato, *Republic*, Wordsworth Editions, London, 1997, pp. xiv–xvi.

⁶¹ See, *inter alia*, James T. Gathii, “TWAIL: A Brief History of Its Origins, Its Decentralized Network, and a Tentative Bibliography”, in *Trade, Law and Development*, 2011, vol. 3, no. 26; Makau Mutua, “What is TWAIL?”, in *Proceedings of the American Society of International Law Annual Meeting*, vol. 94, Cambridge University Press, 2000, pp. 31–38; Antony Anghie, “Rethinking International Law: A TWAIL Retrospective”, in *European Journal of International Law*, 2023, vol. 34, no. 1, pp. 7–112. Luis Eslava and Sundhya Pahuja, “Between Resistance and Reform: TWAIL and the Universality of International Law”, in *Trade, Law and Development*, 2011, vol. 3, no. 1, p. 103.

⁶² ICJ, *Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)*, Preliminary Objections, Judgment, ICJ Reports 2017, p. 3, Declaration of President Yusuf, para. 11 (<http://www.legal-tools.org/doc/c0a7e1/>).

5. Conclusion

The ICJ Booklet, an incomplete depiction of artworks of the World Court, is an underestimated source of inquiry. While the configuration of UN architecture might evolve in the future – through “[g]rowth in United Nations membership”⁶³ or the increased weight of some⁶⁴ – the incremental enrichment of the ICJ’s art collection as presented by the Booklet reflects this evolution, as well as a common commitment to peace and the friendly resolution of disputes.

As a comparison, the European Court of Justice hosts “a collection of works of art representative of Europe’s multicultural heritage”.⁶⁵ The European Court aims, as a European Union institution, to enforce “its own legal system which [...] became an integral part of the legal systems of the member states”.⁶⁶ There is no such direct effect from international law to municipal legal systems as is the case in the European Union.⁶⁷

Authors have started to study the aesthetic of international law, for example, Mary Ellen O’Connell⁶⁸ and Hillary Charlesworth.⁶⁹ Some initiatives spread out to enhance this angle of analysis, such as the ‘Art and International Justice Initiative’ led by Marina Aksenova.⁷⁰ This policy brief aims to take its modest place in this trend.

According to Fyodor M. Dostoyevsky’s main character in *The Idiot*, “beauty will save the world”. We do not know whether Prince Myshkin is right or wrong. But we can imagine that the ICJ’s 2022 “Official Gifts and Donations Booklet”, being unable to save the world alone, could become a mediating tool in an international society where *erga omnes* obligations are in continuous development.⁷¹

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⁶³ See UN, “Growth in United Nations Membership” (available on its web site).

⁶⁴ Oliver Stuenkel, *The BRICS and the Future of Global Order*, Rowman & Littlefield, Lanham, 2020; Andrew G. Ross, “The BRICS+: Who Are They, Why Are They Important, and What Do They Want?”, in *Local Economy*, 2023, vol. 38, no. 8, pp. 727–734.

⁶⁵ “Art at the Court” section of the European Court of Justice’s web site.

⁶⁶ Court of Justice of the European Communities, *Flaminio Costa v ENEL*, Judgment, 15 July 1964, Case no. C-6/64 (<https://www.legal-tools.org/doc/inqkn0e/>).

⁶⁷ Court of Justice of the European Communities, *NV Algemene Transport – en Expeditie Onderneming van Gend & Loos v Netherlands Inland Revenue Administration*, Judgment, 5 February 1963, Case no. C-26/62 (<https://www.legal-tools.org/doc/n00hh0ic/>).

⁶⁸ Mary Ellen O’Connell, *The Art of Law in the International Community*, Cambridge University Press, 2019.

⁶⁹ Hilary Charlesworth, “The Art of International Law”, in *American University Law Review*, 2023, vol. 38, no. 3, Article 1.

⁷⁰ See the home page of the Art and International Justice Initiative’s web site.

⁷¹ Ardit Memeti and Bekim Nuhija, “The Concept of Erga Omnes Obligations in International Law”, in *New Balkan Politics*, 2013, no. 14.



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