

The World Court of Justice

The Alternative to Wars, Terrorism and Politics

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Preface

The global violence which ushered in the Third Millennium poses the questions:

“Can Mankind ever live in peace?”

“Was not all Human History just a never-ending war between tribes and nations seeking to conquer and dominate each other?”

This book identifies the root of the problem and provides the blueprint for a peaceful world.

Global problems need global solutions. The transition from the tribal partisan mindset which dominates all the present day governments will be neither instant nor painless. Nor will this tribal partisan mindset be relinquished willingly without struggle. But the relentless Force of Reality will make those in power abandon their dreams and ambitions and will impose on them its own Irresistible Will.

This is our first publication on the Principles of Global Government. It contains documents and articles relating to the World Court of Justice — an impersonal supra-national institution set up on the Internet in 2001.

This book is divided into six parts.

Part I explains the reasons why the World Court of Justice is necessary.

Part II contains the Principles, Rules and Procedures of the World Court of Justice.

Part III explains the differences between the World Court of Justice and the other international courts.

Part IV illustrates Global Thinking, without which there is no hope for world peace and security.

Part V gives examples of application of Global Thinking to situations arising out of the present day lawlessness.

Part VI shows examples of interaction with the people who are at the heart of the present violence: the US Administration and Osama bin Laden.

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Part I

Why WCJ?

Chapter 1

Why the World Court of Justice?

Date of first publication: 2001–10–16

1.1 No Law between Nations

There was a time in human history, when disputes between private individuals were decided by use of force by the parties themselves. If one person disagreed with another he would kill, maim, beat or frighten his opponent into accepting his will. In most countries today this form of resolution of private disputes is not accepted, and the disputing parties are expected to submit their disputes to a court of law where such disputes are resolved following an established procedure.

Such form of resolution of disputes is restricted, however, to private individuals, and does not apply to disputes between established governments, or disputes between private individuals and groups and established governments.

So, if a dispute arises between established governments, a war erupts, and, if a dispute arises between people, who do not form an established government, and an established government, terrorism follows.

To stop the destruction of people and property by established governments (wars and matters of internal policy) and by non-governmental groups seeking to take the law in their own hands (terrorists) a supranational court of justice is required.

To be a genuine instrument of justice, rather than an instrument of politics of a country or group of countries, such court must be totally free from any political, ideological or any other influence and be totally and unconditionally objective and impartial (the rights of a single person are equal to the rights of the rest of mankind).

The operation of the court must consist solely of establishing facts on the basis of

evidence and evaluating them by applying strict mathematical logic to the fundamental principle: no person or group of persons (tribe, nation, organization, etc) have a right to interfere with the person, freedom or property of another person or group of persons without his consent, except for the purpose of prevention of such interference.

The need for a supranational body to resolve disputes between nations is generally recognized and attempts were made to establish such organizations.

1.2 Search for Supranational Justice

Following the Second World War, in an attempt to avoid wars, a group of states have established the Organization of the United Nations. But the Organization of the United Nations is not an independent body. Resolutions are based on votes, which express wishes of the majority — not on the principles of right and wrong, true and false.

The Super Powers (USA, Russia, etc.) have vetoes, and can block any resolution which is not convenient to them. This violates the main principle of justice — equality under the law.

The United Nations operate the International Court of Justice. The jurisdiction of that court is limited, however, only to resolution of disputes between states, members of the United Nations and Switzerland. The court has no jurisdiction to hear cases brought by non-governmental groups against established governments.

Moreover, although, formally, the judges composing the court are independent magistrates, and do not represent their governments, the technique of arriving at judicial decisions is based on judicial opinions and is by its nature subjective, i.e. reflects political philosophies, ideologies and personal prejudices of the judges.

There was also an attempt to set up a regional supranational court, the European Court of Human Rights. This court is restricted to Europe. Because the decisions of this court are based on judicial opinions, judgements of this court are not objective and impartial — they are influenced by personal views and prejudices of the judges.

It is clear that none of the above organizations is capable of being used as an instrument of justice necessary for prevention of wars and terrorism.

Nor can such court be established by politicians.

1.3 Politics and Justice

Definition 1.1 *Politics is the use of the powers, given to politicians for the purpose of administration of their countries, to favor themselves and those on whose favours they depend.*

Definition 1.2 *Justice is determination of rights between parties on the basis of total and unconditional objectivity and impartiality, strict truthfulness of facts, and strict logical validity of reasoning.*

Politics and justice are incompatible. Politics cannot be impartial and objective. Politics is favoritist and subjective by its very nature.

Truth and politics are incompatible. Politicians hide, distort and pervert facts to achieve their objectives.

Politics and logic are incompatible. Politicians pervert logic to arrive at conclusions favourable to themselves.

And it is only strictly impartial justice that can be respected at supranational level and be an effective means of resolving international disputes.

So, in a world inhabited by people whose judgements are affected by their emotions and prejudices and governed by politicians seeking to exploit these emotions and prejudices for their own ends, how can one set up a court, which will make wars, terrorism and politics things of the past?

1.4 Composition and Procedure

The court is an impersonal institution. There are no judges and no juries in the World Court of Justice.

The decisions of the court are based solely on the formal procedure defined by these rules. For that reason the decisions of the court do not depend on any person or group of persons or any personal views, wishes or opinions. Any human intervention is restricted solely to insuring that the procedure is followed correctly.

The court will be operated following a strict, totally open, mechanical procedure.

The objectivity and impartiality of the procedure will be insured by the structure of the procedure itself. All the proceedings will be in writing and publicly available to the whole world on the Internet.

Pleadings and evidence will be broken down into single-valued, clearly stated points of fact and items of evidence. All ambiguities will be clarified. All subjectivity and irrelevance will be removed. Each single-valued statement of fact will be strictly validated against the submitted evidence. The court will consider each validated fact separately and determine whether this fact singly or jointly with other validated facts constitutes an injustice.

1.5 Validation and Execution of Judgements

Because of the strictness and full public openness of the procedure, people all over the world will be able see for themselves the facts, the evidence and the logical reasoning used to arrive at the decision, and thus will validate the decisions of the court.

While the court has no possibility of enforcing its decisions (it has no armies and no police), its decisions will have intellectual and moral influence.

Honest and sincere people in national governments will welcome the World Court of Justice as an aid in their task of government, and will make use of the decisions and findings of the court in their work.

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