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theory of international law at the threshold of the 21st century is a remarkable book and is destined to become a standard work without which no international law library will be complete the essays contained in this volume are written by the foremost experts and the topics have been chosen with the greatest care to reflect the most pressing current problems facing the world community the research and writing made available in this collection will be of enduring worth and will be studied and quoted for decades to come it follows in the finest traditions of the major collective works published by martinus nijhoff kluwer law international it is most appropriate that a remarkable book should be dedicated to a remarkable man and the editor of the volume professor jerzy makarczyk has ensured that the choice of writers the choice of topics and the quality of the material do indeed honour one of the leading international lawyers of his generation professor krzysztof skubiszewski

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the development of the judicial control of the european communities is perhaps best illustrated by comparing the first decision the court of justice rendered in december 1954 under the ecsc treaty with its preliminary rulings van gend loos 1962 enel 1964 and simmenthal ii 1978 rendered under the eec treaty in the first case the court quashed a decision of the high authority impugned by an annulment action of a member state for an illegal exercise of community powers a judicial control which at the time already represented a spectacular legal innovation introduced by the ecsc treaty at that time the court was for evident reasons still reserved as to its role within the unprecedented institutional structure of the community in van gend enel and simmenthal ii on the other hand the court resolutely pursued a judicial policy intended to ensure an effective operation of the community legal order a problem hardly envisaged in 1954 in these rulings the court characterized the emerging legal order and stated its fundamental and indispensable requirements the unlimited supremacy of community law and its direct effect the development of a superior and autonomous community legal order was finally completed by the court's recognition of fundamental community rights of individuals this development from an initially reserved stand of the court searching for its proper role and its potentialities to a bold and determined judicial policy is truly remarkable

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