



Effectiveness of the International Court of Justice (ICJ) in Enforcing Compliance

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Abstract

The International Court of Justice (International Court), also known as the International Court, is in the middle of the international legal system and is the main court to settle conflicts among the states. Though it is formally binding under terms of Article 94 of the United Nations Charter, the Court has no autonomous enforcement capability, given rise to the recurrent concerns about the effectiveness of its efforts towards assuring compliance by the states. This article critically addresses the enforcement shortfalls in the design of the ICJ, and what proportion of the actions are taken by force and what proportion is done by law, political or normative means.

The study is a clear illustration of the structural decentralization of the international system of enforcement which is present in this system and where the ICJ is located namely in political level institutions, especially the UN Security Council. But, in practice, the enforcement of Article 94(2) is not especially effective because of the difficulties raised by geopolitical issues and the vetoes proportion of the Council. Key historical case law, such as and related to territorial sovereignty, use of force and diplomatic protection is subject to empirical examination, which highlights a selection and politicization of compliance.

The article also explores the two main theoretical frameworks of compliance, managerial theory and legitimacy theory as well as constructivist norm diffusion and realist criticisms of these compliance concepts. It claims that the concrete ability to coerce is not the appropriate benchmark for effectiveness of the ICJ, but rather that the ICJ must be evaluated in terms of its influence on patterns of state behavior through the application of its norms, the threat of the tide of disrespect and its institutionalization in the United Nations system. In the end, the ICJ is thought of as a persuasive body which is aimed at inducing compliance and does not rely on direct enforcement.

Keywords

International Court of Justice (ICJ); compliance; international adjudication; enforcement deficit; Article 94 UN Charter; Security Council; international law; state behavior; legitimacy; international dispute settlement; constructivism; sovereignty; judicial effectiveness



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1. Introduction: Enforcement Deficit and the Problem of Judicial Authority in International Law

Classically, the effectiveness of international courts has been gauged with regard to enforcement. Judicial power is distinctively bound to coercive power in domestic legal systems: judges are located in a state-chartered centralization of power that enables them to create similar enforcement processes. International law on the other hand has a decentralized normative order in which sovereign states continue to be the key players, and the ultimate enforcers of obligations. In this construction, the International Court of Justice (International Court of Justice) has its very peculiar role which is to interpret the law by giving authoritative decisions, but not having any enforcement authority of its own (Omerović, 2022).

This paradox should not be the result of chance; rather it is a deliberate design of the constitution of the United Nations system. While the ICJ's mission was to promote peaceful settlement of disputes and aid in strengthening the rule of law, it did not seek to give up any power over coercion over the states. Therefore, the Court's legal standing is one in name only and in reality relies on good will. The notion of some objects being better enforced by law than others is at the heart of the analytical challenge to assess the Court's effectiveness.

The "Obligation of all member states" regarding adherence to the decisions of the ICJ has been provided in Article 94(1) of the UN Charter, whereby all parties to a case were obliged to comply with resolutions of the ICJ. Obligation of all member states with respect to their compliance with the rulings of the ICJ is provided in Article 94(1) of the United Nations Charter: "the general rule shall be that the decisions of the ICJ shall be binding on the parties to a case to which they are parties. This duty is not a duty to do, however. The enforcement mechanism of this is externalized, meaning that if a state does not comply with the judgment, it can send the issue to another body, which is in this case the Security Council, which itself will then be able to decide on the measures to enforce the judgment (Detrick, 2023). This puts the enforcement of the obligations in the sphere of politics rather than the judiciary, leading to uncertain application of law.

The institutional problem of such a design is that there is no legal enforcement but rather legality is determined through political issues. In reality, the Security Council seldom implements ICJ decisions, especially in cases of impunity litigations between great powers and/or their associates. This thus establishes a structural enforcement gap with the law's obligation on the one hand but no action on the part of institutions on the other.

This tempering effect is also caused by the binding force of ICJ decisions as spelled out in Article 59 of the ICJ Statute, which limits the force of the decisions' binding essence to between the parties and in their particular case only (Hambro, 2025). In effect, it helps to preclude generalizing enforcement effects and holds judicial systems in check. ICJ judgments tend to be narrowly binding, as opposed to domestic appellate jurisdictions where a judicial precedent leads to compliance by similar parties in the future.

Another principal limitation comes from the Court's jurisdictional set-up. The jurisdiction of the ICJ is determined solely on the basis of the consent of states (Rosenne, 2025a). Which can be consent expressed or implied. According to Article 36 of the ICJ statute, its jurisdiction is based exclusively on the consent of the states, consent expressed or implied (Rosenne, 2025a). States can take over by means of one of three mechanisms: by making an optional clause declaration, by signing a compromissory clause in a treaty or by entering a special agreement. It is a system with consent that protects sovereignty and even so, it can be strategically avoided from judicial review. States can either step back from a declaration, reserve jurisdiction, or simply reduce their exposure, regulate the way in which they participate in the adjudicatory process.

This architectural structure creates compliance conditions which are politically rather than legally-driven. States abide by the ICJ's rulings when it is politically advantageous for them, when it boosts their image or when they do not wish to create a situation of



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counterproductive "non-compliance" on future occasions. On the other hand, when the implementation of the announcements is politically sensitive, with regard to territorial sovereignty or national security, non-compliance is still an option as no coercive implementation mechanisms would exist.

This idea is gaining broader acceptance within scholarly discourse, where it has come to be seen more as an alternative model of law's effectiveness. According to the managerial model of compliance, international institutions shape state behavior not by motivating compliance through coercion, but by making it transparent through dialogue, and of making it normative by providing clarifications (Wheeler, 2020). In a like manner, by making the internalization of norms central, constructivism theory stresses the factors of compliance that will come about not due to external pressure but due to internalizing the norms (Siddiqui, 2020). The world-renowned UCL Law Faculty hosts a highly esteemed research series that addresses these perspectives which embraces ideological disputes concerning ideas of efficacy in devoting judicial authority to coercive enforcement.

This complex picture is confirmed by empirical evidence. The acceptance of ICJ decisions is fairly good in technical cases and inconsistent in those that include a high level of political interest. This form shows that compliance is not the same for everyone, it is dependent upon a combination of legal requirements and political cost-benefit analysis.

In the interest of promoting this, this article counters the notion of assessing the ICJ in terms of domestic standards. Rather, its effectiveness needs to be appreciated in the broader framework of analytical elements such as normative legitimacy, reputational pressures, and institutionalization in the context of the United Nations system. The Court, which does not look like an enforcing authority, is in the role of compliance inducing institution in a decentral legal order.

This rethinking of approaches is in line with certain significant variations in international legal thought. Legal scholars have spoken much of the legitimacy and capacity to provide explanation that are the grounds of international adjudication, leading to the conclusion that international adjudication is not coerces but legitimate and norm-explanatory (Klabbers, 2023). In this regard, ICJ rulings shape state conduct, through the power of clarification, and by raising the "name and shame" stakes for not complying with the law.

Finally, the ICJ is a form of judicial governance that's sort of in the middle. It is less than fully effective (in the domestic sense) and not strictly symbolic in its work. It is effective because of a blend of law, legitimacy, and constraint. Such hybridism needs to be grasped well to evaluate its role in the international legal system correctly.

2. Legal Framework of Enforcement: Article 94, Institutional Design, and the Enforcement Gap

The architecture of enforcement of the International Court of Justice is not centered on the Court but are spread throughout the U.N. system's constitutional framework. The International Court of Justice (International Court of Justice) is not a coercive force, as it does not have powers of enforcement, but rather is a model of tribunal that is an adjudicatory institution without coercive power. The International Court of Justice (International Court of Justice) is an adjudicatory instrument without a coercive function, which is important for an understanding of why it is not a colloquial instrument in the European sense that is able to force compliance on those on whose behalf it operates. The end product is a type of law that can be formally declared but is dependent on political consensus for execution.

The essence of this structure is Article 94 of the United Nations Charter. Article 94(1) states that each Member State will take 'measures' to comply with the ICJ's decision 'in any case to which it is a party' (Simma et al., 2024a). This gives way to a clear-cut international legal normative obligation. Its formulation is unique, however, because it is purely negative, it will not establish an internal mechanism for enforcement, nor give



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the Court the power to oversee the manner in which its rulings are executed.

Instead, the non-compliant state would be referred to the Security Council (Wold, 2023). Under the provisions of Article 94(2) of the Charter. The Council can then make recommendations or make a decision about actions to put into practice the judgment. This means that enforcing is not a judicial process but ends up as a political one and falls under the calculations of a very politicized organ. From a doctrinal perspective this produces a two-tiered approach: (a) one of legal obligation, falling to the judiciary, and (b) one of discretion, falling to the political.

Actually, it is seriously hampered by the institutional structure of the Security Council. Each permanent member will have veto power in substantive decisions which will need the agreement or consensus of all of them under Article 27 of the Charter (Widjaja, 2026). This structural catches garrigues is not only a legal requirement, but one is bound to be filtered via geopolitical interests. If enforcement is needed, it is highly unlikely to be achieved if a dispute is related to the interest of a permanent member or an important ally of the permanent members, whatever clear the legal determination of the ICJ may be.

This enforcement system, which is more disorganized, is further strengthened by the Statute of the ICJ. Judgments have no binding effect beyond parties and between them, so that there is no enforcement effect other than on the case or between the parties (Rosenne, 2025b). However, even if the law is consistent in each of the cases, it may not prove to be a binding regime in both cases. Thus, the authority of the Court is still a discontinuous one instead of a systematic one, and would rely on compliance with the decisions, rather than continuous enforcement capability.

The balance between sovereignty and judicialization in international law is evident in this configuration from a structural point of view. The Committee that drafted the UN Charter did so purposefully not to establish a supranational enforcement body like a domestic judiciary. Rather, they did not allow state sovereignty as the controlling rule of the game which would make compliance the result of a compulsion but would instead be politically forced.

The Security Council has actually very rarely called the UN Charter into use, especially Article 94(2). In practice the Security Council has rarely used the UN Charter, particularly Article 94(2). The policy-making process has always been more important than considerations of legal enforcement logic, even when there is obvious lack of compliance. This pattern reiterates that implementation under the UN umbrella is not automatic, but exceptional and rests on political "good will" as it were, of the great powers. Consequently, the enforcement mechanism doesn't actually transform into a vehicle for enforcement but rather serves as a symbolic protection.

A growing critique of this situation, however, has been that it represents an "enforcement deficit" of international adjudication. In contrast to the ICJ, which issues binding legal decisions, the implementation of these decisions is regulated by political institutions, which have the main responsibility of maintaining international peace and security, not judicial compliance (Simma et al., 2024b). This institutional mis-match will be the reason why there will not be uniform enforcement even when there is no ambiguity from the law.

But this is not a structural weakness that means the system isn't effective. Rather, it frames compliance from a change from coercion to inducing. States generally observe ICJ rulings out of diplomatic reciprocity and a sense of shame for the international law-based community and/or a need to sustain their international legal credibility. This implies that there is an indirect form of enforcement, whereby pressures are exercised systemically, rather than by formal action.

Therefore, the functioning of the ICJ's enforcement mechanism is considered to be in a hybrid legal-political structure, that is one that is both substantively and substantially judicial in nature, but not self-executing. The degree of effectiveness of the Court is dependent on less its enforcement capabilities and more on a wider institutional



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framework within which its decisions are implemented.

3. Compliance Behavior and Jurisprudential Evidence: Between Legal Obligation and Political Reality

The effectiveness of the International Court of Justice (International Court of Justice, ICJ) is the only way to make the effectiveness of this court's judgments tangible. Though the normativity of the Court in doctrinal aspects is not challenged, its influence in practical aspects will depend on how the States internalize, implement or reject the decisions of the Court. The cases that the Court has decided have shown that compliance is not relentless or universal, but rather selective, politically directed and based and guided on context.

The case of Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States) is a basic example of non-compliance with international law; in the judgment the US was found responsible for committing unlawful force and breaching customary international law against Nicaragua. Although the court ruling was crystal clear, the United States pointed out that this was an issue of jurisdiction and refused implementation of the ruling (Rep, n.d.). Many consider this to be an example of what an enforcement structure can achieve when its findings are conflicting with key security concerns of strong states.

The Nicaragua case is not only important due to non-compliance, but also because of the systemic aspects. It identified that with a "well-considered and doctrinally sound judgment" but a higher political cost than the reputational cost, "no enforcement" may follow. The case thus makes it clear that compliance is not only about the legal validity but is rather geopolitically feasible.

The case of the United States Diplomatic and Consular Staff in Tehran (Iran Hostages) is an example of partial compliance and delayed compliance. The Court instructed Iran to free the hostages and return diplomatic property, which Iran refused to comply with for some time. But it was not by way of enforcing the judgment itself, but rather through the process of compliance, in part through diplomatic talks and in part through international pressure, as the case was not actually enforced (Klein, 2021). This is the effect such judgements may have, and the ICJ typically does not work directly on the ground – it works indirectly as a catalyst, to prompt political resolution.

A more complicated situation is that of the Avena and Other Mexican Nationals case (Mexico v. United States), in which the Court determined that the United States had breached its duty to give the notification, under the Vienna Convention. The United States accepted the decision at the federal level, but it was not realized due to the constitutional boundaries in the States and the fragmentation of the U.S. legal system (CASE, n.d.). In this case, both the international context and the domestic context are shown to be influential in shaping compliance, as international commitments and requirements necessitate legal translation within the domestic arena, especially in federal systems.

In the same vein, the Court in LaGrand (Germany v. United States) clarified the binding nature of provisional measures, but there was lack of consistency in the implementation of such measures, which makes the task of ensuring compliance with legal obligations even more challenging (Mousavi Mirkalaei et al., 2023). These cases all show that ICJ decisions can suffer structural conflicts when they are confronted by domestic legal systems that do not have automatic incorporation systems for international law.

But it's not every case that shows resistance or partial compliance. In a number of boundary and territorial matters (e.g., Burkina Faso v. Mali), the ICJ's decisions were broadly successful, indicating that, at least in some cases, the decisions of the ICJ are accepted (Rademacher, 2023). The pattern shows that there are close linkages between compliance and issue sensitivity and not legal clarity.

This empirical variation has prompted scholars to think of compliance not as a dichotomy (compliance vs. non-compliance), but as a continuum of ranging levels, from



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complete compliance to symbolic acknowledgement. The ICJ therefore operates in a “graduated compliance environment”, where the law is subject to political restrictions in defining the compliance outcomes.

Despite the fact that the empirical findings are suggestive of a double mediation effect of the ICJ (reputational and relational), the theoretical understanding of this variability is limited. States do not simply accede because they are forced to, but rather because of the importance of credibility, reciprocity and future involvement in the international legal system. Judgments can have a normative effect over time even if they are not initially adopted.

Meanwhile, as everyone knows, the jurisprudence shows that the Court's power is not equally distributed. It is more in evidence in low-politics areas of conflict and less in high-politics areas of conflict related to sovereignty, security, and military action. But this imbalances make it clear that the power of ICJ rests not solely on legal reasoning but also within the framework of political tolerance

The compliance behavior thus shows that the ICJ is not an institution of enforcement in the traditional sense but rather an institution that seeks to promote and encourage compliance, whose effectiveness, however, relies on the external political context.

4. Political Constraints and the Role of the Security Council: Enforcement Failure and Institutional Mediation

The structural underpinning of the enforcement regime of the International Court of Justice is political structures outside the judicial sphere. In this regard, the International Court of Justice (International Court of Justice) operates in a system that separate the legal and administrative power and for this reason, it is apparent that there is a tension between adjudication and execution.

The United Nations Charter under Article 94(2), provides for the referral of the ICJ proceedings for enforcement when the judgment is not observed. If the judgment is not complied with, the proceedings may be referred to the United Nations Security Council (Simma et al., 2024c). This is not a legal obligation on the Council however. Rather, it provides discretionary power, that is, it can be enforced at the discretion of the political process and not the law. This makes enforcement an elastic and non-background activity.

This mechanism is also undermined by the voting process in the Security Council. According to Article 27 of the Charter, substantive decisions can be made only by unanimous vote of the permanent members, who all have veto power (Bentwich & Martin, 2024). Such institutional structure makes enforcement decision a political one and tends to be geopolitical. In this way, enforcement could be prevented despite the fact that the ICJ judgments are legally clear.

Empirical practice shows that Article 94(2) has been very rarely implemented (Wood & Stthoeger, 2022). The Security Council has so far refrained from any action to enforce its ICJ rulings, even when the failure to abide by them is apparent, especially in cases where the disputes involve permanent members or their allies. This form of pattern shows an international judiciary asymmetry: The power to decide the law is universal, the power to enforce it is non-universal.

This imbalance leads to an apparent "enforcement gap" between adjudicatory and political enforcement (Simma et al., 2024d). The ICJ makes binding decisions which then need to be carried out by an outside body with other priorities, namely political. The fragmentation harms the effectiveness of the international legal system, and creates random compliance results in individual cases.

The Security Council's institutional structure is an illustration of the constitutional compromise of the post-1945 international order. The UN system was more focused on political stability and collective security than establishing a single authority to make the decisions concerning enforcement of the judicial decisions (Johnstone & Ratner, 2021). As a result, the implementation of judgements was left to the vagaries of geopolitical sway



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that was a component of the Council's design.

In practice, then, the implementation of ICJ decisions is therefore achieved indirectly, for example through diplomatic influence, a loss of reputation in future cases, or reciprocal claims in future cases. However, these mechanisms are not uniform and not in place as formal enforcement. The outcome is a system in which adherence is only probabilistic and not guaranteed.

The institutional structure outlined in this article represents a basic international law paradox – the more powerful the court, the less the law is enforced. If there is a political consensus, enforcement can take place; if there is political conflict, this is nearly impossible, even with clear laws (Teixeira, 2021).

The Security Council thus provides a good example of the fact that international adjudication is intertwined in a dual mode of governance, with one being a legal system that generates binding norms and another being the political system that sets the rules of the game on how these norms will be implemented. The structural duality, in international law, is the boundaries of judicial effectiveness.

5. Theoretical Framework of Compliance: Managerial Model, Legitimacy Theory, Constructivism, and Realist Critique

It would be necessary to place the question of the willingness of states to obey decisions handed down by the International Court of Justice in the context of the wider theoretical issues of international law and international relations. Enforcement-based models of the effectiveness of the International Court of Justice (International Court of Justice) are not enough, as there are no mechanisms of coercive implementation. Rather, state compliance is better comprehended as a hybrid of managerial, normative, constructivist, and realist approaches that all contribute to a better understanding of variations in state behavior.

The managerial approach to compliance, an approach developed in international legal scholarship, rejects the idea of coercion as a basis for compliance and instead focuses on transparency, dialogue and interpretable clarification. In this system, the non-compliance is often blamed on ambiguity, capacity problems or endogenous institutional weaknesses, but not necessarily as a result of deliberate defiance (Liu, 2024). From an ICJ perspective, this model posits that judgements are more of a guide for legal interpretations and implications, and for the next time around, a tool for getting states to do what they are supposed to do without resorting to sanctions.

A related theory of compliance is the legitimacy theory, which states that people comply with international decisions when they think that the decisions are legitimate, fairly arrived at, and morally binding. Legitimacy as a compliance-inducing mechanism is independent because states gain reputation from being perceived as 'lawful actors' in the international system (Chu et al., 2024). In this way, ICJ judgments create a pressure for compliance, in the sense that they do not compel the defendant to do anything, but rather impose a reputational penalty for not doing so. In decentralized legal systems, then, legitimacy is a functional alternative to the enforcement.

The constructivist approach takes this further analysis and adds the analysis of norm internalization. Constructivists believe that "state behavior is not only influenced by material incentives, but also by identity, socialization and normative structures" (Wiener, 2020). This way, ICJ decisions help to create converging legal expectations, by establishing authoritative interpretations of international law. Repeatedly articulating norms over time can result in internalization of norms, whereby states end up complying because they think compliance is 'the right thing to do' and not merely a matter of obligation. This process is how compliance can go up even when there is no enforcement capacity.

But this regime and sociological explanation is met by realist critiques that stress the importance of power and strategic interest in compliance. The realist approach to the role of international courts suggests that international courts work in an anarchical



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environment in which strong states accept international rulings only when it serves their national interest (Kocs, 2022). This is one way of looking at it: ICJ rulings do not constitute independent factors to give reasons for behavior, but rather part of a wider strategic assessment. In the Nicaragua case, for example, it is often said that strong States can turn a blind eye to negative rulings when they believe compliance is not desirable for their core security interests.

he interpretation of a "refined realist" does not exclude the symbolic or normative function of the Court but holds that its impact is secondary to the factors of material power. The level of compliance thus depends on the power distribution in the international system, and failures to enforce are exactly what they are: failures.

Combined, the theoretical frameworks show that there is no single causal mechanism that drives ICJ compliance. Instead, compliance comes about through the complex interplay of several elements: norms internalization, the pressure of incentives, legitimacy, and the power constraints. The relative importance of these mechanisms ranges from one controversy to another according to the political sensitivity of the controversy and the strategic interests of the parties involved in the dispute.

This is also a theoretical plurality which can be used to account for the differential impact of ICJ judgements. The managerial and legitimacy mechanisms are more likely to prevail in low-politics disputes, leading to more compliance. When it matters most, in terms of political tensions, the realist pressures will be stronger than the normative pressures and there will be only partial or no compliance. The ICJ thus works in a complex compliance setting, where there is a constant interplay between legal power and political structure (Alter, 2020).

The effectiveness of the Court should therefore not be viewed as "effective" or "ineffective", but as "effective under certain conditions and in certain contexts". All of these theoretical approaches converge on the argument that the ICJ acts as an institution of compliance, impacting upon compliance via an institutional mechanism of legitimacy, interpretation and political constraint without a capacity to enforce (Pues, 2020).

6. Critical Evaluation: Effectiveness of the ICJ in Enforcing Compliance (Synthesis and Doctrinal Assessment)

A proper evaluation of the efficiency of the International Court of Justice should be based on a mix of doctrinal organization, empirical tracking of the Court's compliance, and the theory of state conduct. The International Court of Justice (International Court of Justice) is set in an institutional setting with a unique architecture in which the binding character of judicial orders is formally recognized, but the enforcement of judicial rulings is structurally dispersed. The duality generates a system of which effectiveness is not identical to a coercive execution, but rather the tendencies to comply, the normative influence and the system integration.

One of the conclusions that has been reached in this preliminary analysis, is that the ICJ is not in the traditional sense a domestic enforcement body. It is lacking in any coercive power of its own, it requires state consent for jurisdiction and, for enforcement assistance, it depends on external political organs, especially the Security Council. It generates an intrinsic enforcement gap between the legal requirement and the actual practice (Simm et al., 2024e). But it is not an institutional failure, it is a structural failure of a sovereignty-based international legal order.

In reality the Court has mixed performance in terms of adherence to the rule of law. Rates of compliance are fairly high when the dispute is of a technical legal nature or has a low level of political salience. In the case of disputes involving sovereignty, territorial sovereignty, or national security, however, it is not always or fully implemented. The fact that this difference has been found, and that ICJ effectiveness depends on political sensitivity of the topic, not only on legal reasoning, suggests that the topic of the ICJ must be more than just legal issues. This difference does not mean that there is no place



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for legal reasoning in ICJ, but it does also mean that the topic of the ICJ must be more than just legal issues, since otherwise it would not be politically sensitive (Shany, 2020).

This trend is also popularized by theoretical considerations. Managerial and constructivist models imply that instead of enforcement, compliance can be obtained by the diffusion of the norms, interpretive clarity and institutional dialogue (LIU, 2024). Many ICJ judgments are being implemented without the use of any coercive methods because of these mechanisms. But these are not enough explanations in high politics conflicts, where material interests come into play above and beyond the question of the good or bad.

Thus realist criticisms continue to have a number of explanatory utilities. They prove that nothing can be achieved in terms of compliance without the limited nature of power relations in the international system. States that have more political and economic power are more likely to be able to withstand negative snap judgments, including when there are weak or politically stymied enforcement mechanisms (Goldsmith & Posner, n.d.). This is seen when powerful states have failed to comply with or made partial compliance with ICJ decisions, where the ICJ decisions were in clear violation of the law.

Meanwhile, it would also be inaptly considered as an analytically incorrect approach to make the ICJ an impotent body. Although there is no direct compliance, ICJ decisions have, to some degree, indirect effects. Reputational risk (for non-compliance), influence on future interpretation in future legal cases, and norm consolidation over time in international law are all examples of these factors (Rosen, 2021). In this way then, the Court becomes an agent of authority as opposed to an enforcer of authority.

Effectiveness of the ICJ therefore has to be considered as “relational” rather than “absolute”. It should not be thought to work by forcing compliance, it works by setting out the legal and political landscape that is available for states to make decisions about compliance. Strict structuring function becomes evident in repeated interactions, where states foresee further litigation or consequences for reputation, and adapt to alter behavior.

But the effectiveness of the Court is in a way uneven. It is best along lines where legal issues do not necessarily follow lines of high political interest and worst where legal issues are meaningful with existential state interest. This imbalance is not merely due to institutional constraints, but also to the limits of international adjudication in a decentralized system.

In this, the ICJ can be said to be operating in a liminal area of international governance. It is at the same time a law enforcement body, a normative criterion and a body subject to political restrictions. There is no need to rely on enforcement capacity in order to be effective; it is the ethnic mixture that makes it effective. The Court must thus be read as a compliance-shaping institution, a court of law in the domestic sense in that international order, which is dominated by sovereignty.

Conclusion

Given that the analysis of the International Court of Justice shows that it is not effective in enforcing compliance regimes in accordance with dominant domestic enforcement models, the study of ICJ effectiveness needs to go beyond them. The Court is based in an intentionally de-centralised international order, where sovereignty is the basis, and where force is not used to enforce decisions. Consequently, the International Court of Justice (International Court of Justice) is neither an autonomous body with its own powers to carry out its rulings nor a binding adjudicating body with its own powers of rendition.

This study shows that the ICJ's effectiveness is not based on enforcement of rules but based on its structure. Although the United Nations Charter (article 94) lays an indirect duty to comply, there is no internal enforcement system, which has led to reliance on the political machinery established by external political bodies and on the behavior of the states. The lack of judicial determinacy over enforcement, compounded by the fact this



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function is dependent on the Security Council, further highlights this dependency, in that the Council is subject to the political will and geopolitical constraints, rather than judicial authority.

The history of the Court's cases proves empirically that it is not an ironclad rule, as it varies from case to case and situation to situation. When there is little political sensitivity, a finding by the ICJ is highly likely to be adhered to by states, with or without outside pressure. For other disputes relating to territories, national security or strategic concerns, on the contrary, compliance is only partial, delayed or non-existent. It has been shown that there must be more than legal obligations there needs to be political conditions too – for implementation to happen with this pattern.

This variation is most easily accounted for by a combination of compliance models, theoretically. Norm diffusion, interpretive clarity, and legitimacy are emphasized in the managerial and constructivist methods to produce compliance. Realist approaches, however, tend to focus on the fact that the state is still a state; hence, its power and strategic concerns with that state always remain at the forefront. What all these sets of frameworks imply is that ICJ effectiveness is not a legal or a political occurrence alone, but rather a synthesis of it.

Therefore, the ICJ cannot be judged as success or failure, but must be considered based on the merits of the individual cases. It is meant to shape the legal system in which the decisions of compliance are to be made and not to impose compliance standards through force. Its rulings set expectations, establish the legal standards, and can have reputational consequences, even if there is no direct enforcement action. The Court is, in this respect, a compliance-shaping institution which is part of an larger system of international governance.

What is essential in the working of the ICJ is to create legal significance and pressure in the form of norms, not compel compliance. It is not an absolute power, it is relative and it is subject to political and institutional influences of the international relations system. This does not diminish its role in maintaining uniformity in adherence to the rules of the international legal order, but merely restricts its ability to do so. Instead, it offers a unique vision of judicial power that is different from a vision where law is enforced by force. Rather, it illuminates a particular model of judicial power that is non-coercive and is realized through persuasion, legitimacy, and integration of judicious processes into the larger system.

As such, the ICJ is a classic case of international adjudication in a context of structural anarchy – a court that can do what it will without requiring immediate compliance enforcement, and which can have an impact on behavior without coercion, but by a steady, cumulative process of legal legitimacy.

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