

AN INTRODUCTION TO PUBLIC INTERNATIONAL LAW. By S.K. Verma. New Delhi : Prentice-Hall of India Private Ltd., 1998. Pp 488 Rs 225/-, ISBN 81-203-1264-3.

International law as an independent discipline has progressed by leaps and bounds over the years. It has strived to maintain peaceful relations among independent and sovereign nations. Living in an interdependent world can only be meaningful, if the sovereign nations show enough respect to rules of international law and in fact do observe rules of international law in their inter-state relations. The troubled origin and the zig-zag development of international law has not at all affected the vitality of international legal order. In fact as the world order progressed, international law has matured into a full fledged legal system in its own right. Despite the positivist outburst on legal status of international law, the reckoning as on date is that international law is the law which is binding on 'states and other subjects of international law'.

The post-war period provided new challenges to the international legal order. International law has had to adjust itself and provide new directions to problems emanating from decolonization and to meet the aspirations of peoples of the newly independent countries. These new nations challenged the universality of the Eurocentric international law, and consequently a new reorientation to international law had to be given. Partly they succeeded through United Nations and other International organizations, where all of them combined to focus on the common 'socio-economic' issues, with one voice. At the same time 'regional international law' started developing among these newly independent countries. However, this regional law has in fact contributed to universality of international law and has been recognized as such. It must be recognized that today's international law is not only law governing inter-state relations but also concerns itself with governing inter-state cooperation, human rights etc. It has added new dimensions to inter-state cooperation, deviating considerably from traditional inter-state relations. To that extent, the concept of State and State sovereignty has undergone a change even though State as such can not be wished away from international legal order.

Over the years, a lot of international legislation has come into vogue primarily by the United Nations and other international organizations. These organizations are the realities of the present day international political order and have concentrated on various issues of common concern to the international community. Their work has immensely contributed to the international

**law of cooperation.** These general principles have enriched the jurisprudence of the international legal order. At the same time, the principles of international law have been codified as a legal system. Primarily it is the International Law Commission which is concerned with 'codification and progressive development' of international law. This has helped to clearly identify the principles of international law, and no writer can afford to overlook this phenomenon. However, there are certain areas on which if international cooperation is not achieved it will threaten the very survival of the community of nations. These subjects such as disarmament (particularly nuclear disarmament) degrading of environment; localized conflicts (which have over the years claimed more lives in aggregate); international terrorism and groping with poverty of the peoples around the world, are too important to be neglected. In fact Boutros Boutros Ghali had very eloquently elaborated upon them in his Agenda for Development. The community of nations have to stand upto these challenges. It is sad, but true that international legal order as such has not provided universal successful solutions to some of these subjects.

The growing importance of international law as independent discipline need neither be over-emphasized nor overlooked. Even though it has found favour in all law schools in developing countries yet there are certain difficulties which a person dealing with international law has to face, be it a student, lawyer or an academician. Lack of original source material, lack of formal training in international law and the swift changes which altogether changes the course of international law. At the same time lack of openings for those who specialize in international law particularly in India has perhaps vanned the enthusiasm of many a people longing to opt for international law in their course curriculum.

The literature on international law is predominantly written by western lawyers, who have given an exclusive western orientation to the international law. However, over the years third world researchers and writers including India have also written on international law. But the problem with these writings is that they do not present a coherent and lucid account of the relevant law, apart from the lack of a methodological presentation and explanation. Some writers have particularly fallen into the trap of copying verbatim from western writers, thus adding to confusion.

Given this scenario, I suppose the present book fills the void. It is unlike others, written in a simple language and very clearly elucidates the rules of international law. The author has succeeded in explaining the law in a succinct way; not quoting unnecessarily from western authors, nor leaving important sources/references. Having been written by a person of about thirty years of teaching experience and being a widely travelled person the book radiates the

matured thinking of a third world writer. The book also reflects upon some important issues, on which there is no unanimity, in her own style and prognosis.

Surely, in the event of such divergence of opinion, the state practices, the decisions of international organizations and those of national and international courts have become not only relevant but also of immense guidance. They act as sources of international law and hence have been painstakingly referred to by the learned writer. The author has equally delved on some important subjects which are not only 'controversial' but also lack 'definite and equitable' solutions. She has tried to evaluate the forthcoming opinions in a manner which befits a third world country like India. Some of these subjects include international environment, nuclear warfare and international humanitarian law. No international lawyer or an academician for that matter can turn a blind eye to these subjects.

The book is divided into seventeen chapters. Here the author has followed the conservative line of approach. However, the chapters are sequentially so arranged as to give a methodological dispensation to the major components of 'Law of Peace' and 'Law of War'. Each chapter is lucidly written and enunciates the exact position of law, its growth and present status. The learned author has eloquently reflected upon international organizations and their contribution to the development of international law. Indeed, there is a symbiotic relationship between the work of these organization and the development of a peaceful and healthy international order, as the learned author has nicely depicted.

It is not possible to review each and every chapter. But suffice it to say that the author has performed the job of writing a clear and lucid book on international law, with appropriate references to relevant sources and judicial decisions, which adds substantively to the authenticity of the rules of international law so expounded. The author has given her own arguments on various theoretical juxtapositions, which reflects her maturity and long experience. One may not accept her arguments but they do emphasize the recurrent thinking from a pragmatist, which I suppose, she is. However, there are some topics, which needed a thorough extensive treatment than the one which is given by the author e.g. intervention and Rights and Duties of States, which as on date are most vexatious. Perhaps, that can be overlooked because the book being a single volume introduction to international law had to keep the size of the book in mind as well.

On the whole the book should satisfy each one of us who is in any way concerned with the study of international law, and is looking for a standard treatment by an author. I suppose that the author has performed her job of

putting across the substantial gamut of international law clearly and easily, very well. The reference material is equally great, to that extent it should find favour with researchers even. The book would be useful for lawyers, academicians and particularly the students. The students after going through the book would have no ground to argue that international law is too boring, for the author has taken every care, so that subject gets interesting as well. Being moderately priced, it should easily be affordable by all those who look forward for an 'absorbing and interesting' reading on international law. The publishers have done their job pretty well. One should have no hesitation in recommending the above book.

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