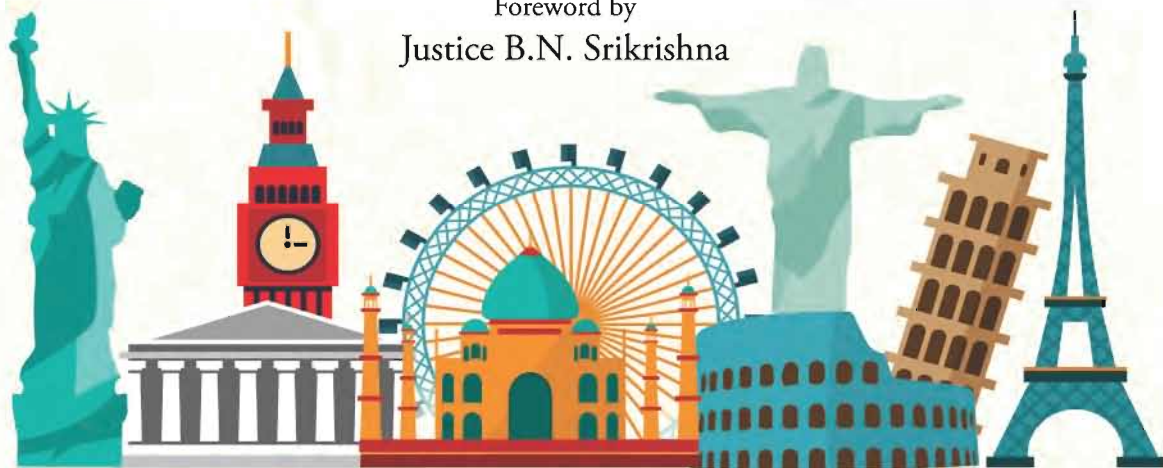


Crisp Introduction to

INTERNATIONAL LAW

Fatima Mujawar

Foreword by
Justice B.N. Srikrishna



CRISP INTRODUCTION TO

International Law

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Foreword

Despite realization of the necessity to co-operate internationally in the interest of amity and abiding peace, each nation State continues to remain and act as a sovereign. Each State has its own laws and considers itself not bound by the laws passed by any other State. This concept of sovereignty, gives occasion to conflict of interest between different sovereign States. Such conflict of interest between sovereign States is resolved by acceptance of a set of principles that goes by the name Public International Law.

Public International Law jurisprudence comprises principles of general application dealing with inter se relations of sovereign States and with international organizations, and the relationship between nation States and international organizations with natural and artificial persons. The dominant purpose of international law is to ensure a regime of law and order, *albeit* consensually accepted by sovereign States to facilitate international transactions.

Public International Law as understood today has its roots in the principles of *jus naturale* formulated by Roman and Greek philosophers. Legal thinkers evolved a jurisprudence based on the natural law theory and adapted them to co-ordinate relations of sovereign

States. In modern times, evolution of the United Nations and its allied organizations has helped in developing a body of law comprising treaties, conventions and other international instruments, which each State declares to abide by.

Since Public International Law evolved out of *jus natural*, which was a body of recognized universal customs, it becomes difficult to discern its principles as each principle has been recognized at different places and different times. It goes to the credit of Ms. Fatima Mujawar that she has crisply reformulated in her book “**Crisp Introduction to International Law**” the basic principles of Public International Law. Without much verbiage, the book tersely enunciates principles of Public International Law applicable to different situations. The book covers the subject from *jus cogens* to customary law, to the United Nations ethos. In this small book of about 100 pages, Ms. Fatima Mujawar has managed to concisely crystallize the fundamental principles of Public International Law.

The attempt of the learned author is quite commendable. The book is sure to be of great use to students and others who intend to get a broad perspective of Public International Law.

My best wishes to Ms. Fatima Mujawar on the publication of “**Crisp Introduction to International Law**”.

Mumbai
December 22, 2015



(B.N. SRIKRISHNA)

Preface

Public international law is a somewhat esoteric subject. It is considered to be a subset of legal subjects. Yet, it is at odds with traditional legal subjects. Neither is there any legislation on it, nor is there a legislating body. How do you then have a law! Luckily for me, it is this ambivalence that I found fascinating. As the subject is out of the box, it most certainly requires one to think out of the box.

It is not restricted to lawyers. In fact many lawyers are not even aware of its existence. Public international law is meant for those who ponder how does our world function. It is crucial to international relations and on-goings. It helps one understand the actions of nation states, international bodies and their implications on individuals.

The nature of public international law is such that one cannot start reading or researching on any given topic in isolation. It is incumbent upon a student of international law to understand and appreciate the basics and all the major concepts before embarking upon any definitive study. Selective reading does not enable one to appreciate this subject and is a major hindrance to any study in international law.

This book is intended as an initiating book that touches upon the most important aspects of international law. A very serious attempt has been made to present the topics in a simple and systematic way so that any person can easily understand them. The point is to demystify the subject and make it accessible to one and all. It is aimed that a complete reading of this book shall give a student a firm base from which she can then embark upon detailed study on a particular topic of her choice.

In completion of this book, I acknowledge the debt owed to Government Law College, Mumbai in introducing me to international law. I must also acknowledge with gratitude the debts owed to my father, for timely inspirations and for helping in checking the manuscript; my mother, for her tireless efforts that form the indispensable foundation of this work; my parents-in-law, for entering into my enthusiasm; my sister, for her patience and faith when it was much needed; and last but not the least, my husband, for his unfailing support and encouragement, without which this book would never have seen the light of day.

—FATIMA MUJAWAR

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Crisp Introduction to International Law is an initiating book aiming to introduce international law to students and the general reader in lucid language. The book appreciates the need for a precise and well-written volume on the subject that covers all the essentials in just the right amount of detail, so that a new entrant gets a quick overview and can then dive into in-depth research, if needed. A complete reading of this book gives a student a firm base from which detailed study of particular topics can be embarked upon.

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The book will prove to be immensely useful to law students, students going for Model United Nations (MUN) competitions, teachers, researchers, diplomats, lawyers, judges and all those who are interested in this subject.

Author Biography



Fatima Mujawar is an advocate based out of Mumbai. She founded the law firm Legal Front in early 2015. Prior to this, she worked with reputed law firms in Mumbai. She is keenly interested in academia and research. As such, apart from completing her LL.B. from GLC, Mumbai, she also acquired a Master's in English Literature. This gives her a unique advantage of presenting mundane legal concepts in an engaging easy to read style. Her fields of interest are all branches of civil law with particular emphasis on Contract Laws, Conflict of Laws, Constitutional Law, Arbitration Laws and Intellectual Property Laws. Public International Law has been one of her pet topics for research and as such she has continually been engaged with subject by regularly mentoring and judging teams participating in international law moots. She also loves to write on topics of legal and general interests. Her articles regularly feature in law magazines.