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A STUDY ON SIGNIFICANT ROLES OF INTERNATIONAL LAW IN INTERNATIONAL RELATIONS

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ABSTRACT:

International law is a fast-paced law system, and because of various updates and de facto control of non-states, its activity is shifting and these non-state phenomena claim that its interests and aspirations are defined by the principles of both guiding and decisive international law. As a direct result, international law is constantly evolving from international law to the legislation of international organizations. As a result, international law now encompasses most of the laws that appear not to be addressed by national law, and it is widely used. Many people, including policymakers, were concerned with studying international law because the undeveloped structure of the international law system plays a crucial role of law. The international legal system has customarily been made up of distinct rules and customs, but there are some suggestions of tries at international democratic country. International law is recognized as a crucial component of international relations in several other states. Even in other states there was no legal or constitutional acknowledgement of international law, explicit acknowledgement did not nullify international law's binding force. Members of the International organizations - sovereign nations - should therefore establish and develop social, economic, cultural and political ties among themselves. The binding nature of the rules of international law is undeniable and confirms the indirect acceptance of international law. This need is essential in the development and development of some international codes of conduct. International law is the body of rules governing the conduct of relations between states. Here, I will discuss about the significant roles of international law in international relations.

Keywords: *International Law; International Relations; Policy; International Organizations; World.*

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1. INTRODUCTION

International law is a system of rules and policies that relates to international relations; however, states move with each other³. They are often completely different from the laws governing the rights and obligations of individuals. Domestic law can become international law if the Convention grants the State's jurisdiction to intergovernmental courts such as the European Court of Human Rights or the International Criminal Court. The general body of international law is categorized into international conventions, treaties, precedents, the Charter of the International Court of Justice, and procedural laws which conduct interactions through international relations (the lack of independent regulation and executive bodies in international law is essentially voluntary and the executive authority can only be exercised by the consent and agreement of the parties)⁴. International relations is the study of how different states and groups interact. It is governed by the norms and standards of international law and looks at the relationships between states, the power dynamics between them, and the institutions that oversee those interactions. International relations, also known as relations between nations, refers to direct or indirect human interaction between nations on an individual and group level. Friendship, conflict, animosity, or war are all possible outcomes of international relations. The area of law that governs the operations of international organizations is known as international law. International law is the body of law between nations that serves to illustrate the complex norms and principles guiding relationships between rulers as well as the conventions and legal standards that apply in those relationships amongst members of the international community.

2. PURPOSES OF THE STUDY:

This study is conducted by focusing on several purposes as follows :

1. To define international law and international relations.
2. To explore the scope of international law relates to international relations.
3. To explain sources of international law in the context of international relations.
4. To explore loopholes and recommendations of international law in international relations.

³ Shaw, Malcolm. "International law". Encyclopedia Britannica.

⁴ Nations, United. "Uphold International Law | United Nations".

3. DEFINITION OF INTERNATIONAL LAW

The use of the term international law refers to a law that is distinct from domestic law. International law is a set of rules applicable to the relations between states and operates in a global scale. Despite greater acceptance of and respect for international law by Member States, the question remains whether they should be referred to as the Supreme Law. In international law, States are regarded as political and legal frameworks and apply to all States, regardless of their size. On the other hand, powerful States have a particular tendency to perceive the principles of international law in a manner that is consistent with their own best interests and preferences.

There is no universally accepted definition of international law, despite some notable contributions inside that area. In 1780, renowned British jurist Bentham used the words "international law" for the first time.⁵ The Universal Declaration of Human Rights and the International Convention on Human Rights also affirm that such persons are not only subject to international law but can directly claim respect for the rights and means conferred by international law.

International law can be regarded as a combination of general rules and specific laws that bind members of international organizations in their collaborative interaction. This definition reflects the changes that have happened since World War II. States, international organizations, individuals, and non-governmental organizations all are members of the world organizations. The definition encompasses the phrase "general principles."

(3.1) DEFINITION OF INTERNATIONAL RELATIONS

The study of how member states interact with one another is known as international relations. It can cover a broad variety of topics, including diplomacy, economics, politics, and military affairs.

International relations is a field of study within political science that deals with the relationships between states.⁶ International relations is the study of relations between states and other organizations. It is related to diplomacy and the study of recent political history.

⁵ Garg, Rachit. "International Law - Meaning and Definitions – Ipleaders.

⁶ Reiter Dan. "Should We Leave Behind The Subfield Of International Relations?"

(3.2) SCOPE OF INTERNATIONAL LAW IN INTERNATIONAL RELATIONS

Policymakers made decisions to establish international law.⁷ The relationship was realistic when states began to form with mutual respect. They established a set of rules, regulatory terms, and contractual arrangements for making large decisions; and these laws and regulations were drafted unequivocally in this regard because they allowed for good cooperation and coordination. The policies and guidelines focus on providing a variety of opportunities for various initiatives to be conducted out through numerous states. These initiatives can include issues such as international criminal law, treaty obligations, refugees, human rights, and sustainable development. The scope of international law became extended to include a completely sovereign state. International law started as a system to control relations between sovereign states and was always the primary legal entity affected by international law. However, as the global system became more complex, international law evolved to include the recognition and regulation of international institutions. International human rights law, such as non-profit organizations and individuals, as well as the recent emergence of international criminal law, demonstrate that today's individuals are directly subject to international law in certain aspects.

(3,3) SOURCES OF INTERNATIONAL LAW RELATE TO INTERNATIONAL RELATIONS:

Article 38(1) of the Statute of the International Court of Justice was generally recognized as a clear statement of sources of international law.⁸ They require courts, among other things, to apply: (a) international conventions, public and private, which establish rules explicitly recognized by the competing State; (b) international custom as a demonstration of general practice accepted as law; (c) general principles of law recognized by civilized nations; and (d) judicial decisions and teachings of the highest notaries in States, as a subsidiary means of determining rules of law, subject to the provisions of article 59.⁹

[1] International treaties:

A treaty is an international agreement that must be approved by all of the states involved in order to be binding. Once all of the countries involved have signed the treaty, they must provide documentation to prove that they have followed its rules.¹⁰

⁷ Westra, Joel H. International Law And Foreign Policy

⁸ Statute of the International Court Of Justice. art. 38(1).

⁹ Statute of the International Court Of Justice. art. 59.

¹⁰ Shaw, Malcolm. "Treaty". Encyclopedia Britannica.

[2] Customary international law:

Customary international laws are typical practices that are generally recognized as law. These are the most important sources and have become historically old and the formation of customs requires two articles (such as a set of specific actions) and psychology (such as the belief that such actions are necessary).¹¹

[3] General Principles:

It is difficult to identify general legal principles that have already been agreed in many contracts or that have become customs. These are rules arising from domestic law and recognized by international law. The general principles of law include, for example, the principles of belief, protection of trust, and rights.¹² In addition to the main sources, International Law draws on judicial decisions and publicist doctrines. The publicist doctrine is a legal principle that states that publicists' explanations of the law can also be used to create new legal rules.¹³ The judicial decisions establish a standard for interpreting the law.¹⁴ Because judicial decisions cannot create new laws, they are viewed as tools for enforcing existing ones. The concept of *erga omnes* obligations refers to specific obligations of vis-à-vis to the entire international community. It is another source of international law. In the general theory of law, the term "erga omnes" (Latin: "for all") is an asset derived from Roman law and used to describe obligations or rights towards all. In domestic law, it has an impact on everyone in a different general context.

The *jus cogens* is the source of international law and refers to norms that are above the ordinary laws, and can't be repealed by treaties or customs. These norms include prohibitions against aggression, genocide, and slavery. Analogy and equity are both sources of international law. In the absence of a legal standard in a particular case, analysis and fairness can be used as an aid. The aim is to make equitable decisions on conflicts of interest. The analogy is the application of the legal norms established for another similar case, and the administration of justice takes place in the absence of a legal norm capable of dealing with the corresponding case.

¹¹ Meyer, Timothy L., and Andrew T. Guzman. Customary International Law in the 21st Century.

¹² Saunders, Imogen. "General Principles As A Source Of International Law: Article 38(1) (C) Of the Statute of the International Court Of Justice".

¹³ Peil, Michael. Scholarly Writings as a Source of Law: A Survey of the Use of Doctrine by the International Court Of Justice.

¹⁴ Greenwood, Christopher. "Sources of International Law: An Introduction".

[4] Roles of international law in international relations:

International law reflected international relations, including

The advancement of peacebuilding and the disregard for any provisions completely unconnected to peace or war. Disagreements over each state's rights and norms can lead to conflict between states.¹⁵ Each issue has a different set of rights and responsibilities to be practically governed by cooperation or internationally recognized rules.

The role of international law is to analyze the various violations of international law that arise as a result of a military conflict, conflict, hostility or inability of a state to control outbreaks. Since the role of international law is linked to the doctrine of public policy and desires, there are two main elements to the use of the term throughout international law. The practice of international lawyers who learn and study international law and foreign embassies complete duties based on international law on a series of related matters, such as matters related to the proceedings involving foreigners, the expulsion of criminals, nationality or nationality, foreign acts, national rights, the interpretation of national rules, etc.

The role of international law could be seen in policies that emphasize the role of the international community, particularly in the special case of needs assessment. International law is concerned with playing role through the formulation and implementation of policies. These policies contribute to promoting peace, security, cooperation, and specific matters.

4. LOOPHOLES OF INTERNATIONAL LAW REGARDING TO INTERNATIONAL RELATIONS:

International law is very different from domestic law.¹⁶ Domestic law is a system of embedded legal principles and regulations in different categories with the supreme statutory provisions. The supreme law cannot be overruled by the lower law. Domestic laws are also legal because they are supported by the state, and these laws can be effectively enforced through state power and persecution. Treaties between equal-power states constitute the backbone of international law. There is no specific law that encompasses the treaties, and no state can be compelled to follow international law. The following are loopholes in international law:

¹⁵ Kritz, N. "The Rule of Law in Conflict Management - GSDRC".

¹⁶ Economides, C. The relationship between international and domestic law. European commission for democracy through law (Venice commission).

- 1) No efficient legislative authority exists.
- 2) It lacks sufficient tools and authority to impose its principles.
- 3) The International Court of Justice does not even have the required jurisdiction.
- 4) The international legal sanction is extremely weak.
- 5) It is not permitted to respond with force in matters about domestic jurisdiction and states.
- 6) Numerous rules of international law are ambiguous.
- 7) International law has failed to restore global order and peace.

5. RECOMMENDATIONS:

The International Court of Justice can only take decisions that cannot be enforced. In addition, there is no way to enforce a decision when the decision is made. The distinct power can play a role in maintaining the relationship between nations through the enactment of international law. Treaties and conventions are based on deals between different states, as such international laws should not be interpreted by states based on their self-interest. Even though no state can be isolated from the others, international law must be capable of bringing them together. Every state is so reliant on the others that they are all experiencing today. To maintain international relations, the use of pressure by one state against the national sovereignty or political independence of another should be prevented by international law. International law must play a role in international relations in solving international disputes of economic, social, cultural, and so on.

6. CONCLUSION:

International law is a legal system that is in place except for global politics. The main purpose is to keep states' interests balanced and to encourage the harmonious role of international relations. To ensure peace, well-being, and human rights, each state should enshrine international law and work cooperatively to sustain international relations. This is vital for peace-building and human rights development. It is required for states to continue pursuing mutual goals to ensure a strong relationship. International law can be defined as a body of laws that are often complied with by governments in their interactions with one another because they are based on enforceable principles and rules of conduct. The role that international law plays, specifically as a
Thus, international law is a separate legal framework that exists independently of global

politics. However, its primary purpose is to fulfil the demands of the global society, which includes a legitimate state system. Specifically, Koskenniemi comes to the conclusion that the purpose of international law is to highlight its role as a comparatively independent formal approach and a tool for advancing unique agendas and claims in respect to political conflicts. Maintaining the realization of the concept of harmony of interests and balance of interests is the goal and role of international law and its institutions. the existence of an agreement between nations with disparate interests below it.

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