

A TEXT BOOK OF INTERNATIONAL LAW (5th ed. 1982). By S.K. Kapoor. Central Law Agency, 11 University Road, Allahabad-2. Pp. xlviii+704+cxxiv. Price Rs. 60.

SINCE THE 1960s the field of international law has been rapidly expanding and far more newer areas are now available to keen students of international law to ponder over. This development has come about due to fast scientific and technological advancement as well as mankind's new adventures. International law has to keep pace with these developments. Decolonization has also given rise to many problems which are either outside the purview of traditional international law or cannot be resolved on account of its Eurocentric bias. There are many areas in which codification of international law has posed difficult problems due to conflicting claims of the haves and have-nots. The quest for solution of these all goes on. But fostering greater awareness of international law among lawyers, judges, journalists and generally common people is a task which is even more important.

It appears from the author's preface to the first edition of the present book that it was written to "serve the needs of the students of law of Indian Universities and the candidates appearing at different competitive examinations". Therefore, he has indicated at many places the questions which were set in IAS or PCS examinations. Mainly to cater to students of these examinations he has dealt with some of the current international problems in one of the appendices. The author has included chapters on most of the subjects which a text book on international law can possibly deal with. The book incorporates law of peace, law of war and law of international organizations.

One chief merit of the book is that it is low priced and perhaps for the same reason it has run into the fifth edition. It contains a lot of material but unfortunately the same has not been diligently sifted nor included at the right places. The author has failed to verify some of the facts before giving his views or conclusions. At one place the author describes agreement on Panama as the "most recent example of the general acceptance of the principle of nationalisation or expropriation of foreign property."¹ The sovereignty of Panama over the canal would be restored to it by the year 2000 marking the end of colonial anachronism. But one can hardly give it as an example of the principle indicated by the author. At another place while dealing with the Farakka issue the author concludes as under :

India went a long way to accommodate the interest of Bangladesh. Some members of the Parliament criticised the agreement as Sell-

1. S.K. Kapoor, *A Textbook of International Law* 136 (1982).

out of national interest by India. Thus India followed the Helsinki Rules in letter as well as spirit although she was neither one of the participants of the Helsinki summit nor one of the parties who signed the Final Act that emerged after the Conference.²

The author has obviously confused Helsinki Rules of 1966 on the Uses of the Waters of International Rivers framed by the International Law Association with the Final Act of the Helsinki Conference on Security and Cooperation in Europe.

The book does not refer to the current or recent development at their appropriate places but relegates them to the appendix. It does not reflect the work of the International Law Commission or Asian African Legal Consultative Committee while dealing with various topics or only a passing reference has been made to the work of the former. The topic of sovereign immunity of states has received insufficient attention and there is no mention of recent legislation on this subject in major legal systems such as the United Kingdom, USA and Canada. In the chapter on Environment, neither the work of UNEP on principles concerning resources shared by two or more States nor General Assembly resolution on the subject find any mention. At page 321, the case law pertaining to human rights in India appears to be outdated. While one of the cases, viz. *Jolly George v. Verghese*,³ has been rightly referred to in the chapter on "Relationship between International Law and Municipal Law"⁴ it has not been mentioned in the part dealing with human rights. On many other topics the author has given details without explaining the basic concepts or issues involved.

The printing errors in the book are too numerous to permit detailed description thereof. Dr. Nagendra Singh has made a mention of these errors in his Foreword. The publisher over anxious to make a quick buck cannot be absolved of responsibility in this regard.

The reviewer would like to conclude by observing that the present work can be useful to a larger audience if materials are rearranged to make it more concise and uptodate and glaring inaccuracies are omitted. Appendix on current international problems should be fitted into the main text. However, if standard English and American text books are to be replaced by one adequately reflecting the view point of the Third World countries, and for which there is undoubted need, work of an entirely different kind would be called for.

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2. *Id.* at 222

3. A.I.R. 1980 S.C. 470.

4. *Supra* note 1 at 97-108.

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