International Law Imperatives in the 21st Century

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In this Article, the Author highlights key periods across a span of six centuries that have greatly contributed or have served as turning points in the evolution of international law. From the increase of international trade and the onset of European colonialism in the 17th century, to the efforts to establish a permanent International Court of Justice during the periods before and between the two World Wars, to the establishment of the United Nations, and the intervention of the Cold War, international law has undergone substantial developments in defining political, trade and social relations between nations. Modern-day international law is no longer as John Austin defined, the imposition of a will of a political superior over a political inferior under the threat of sanctions; rather, it is the product of the effort of states to achieve a delicate balance between the need to respect local laws and customs, and the need to define generally-accepted principles of conduct among nations.

As international law stands as a crucial element of international organization, the Author identifies some of what he calls the "International law imperatives of the 21st century" — concerns that must be addressed by international lawyers of our time.

First of such imperatives is the management of the world power, especially the maintenance of world peace and public order. Next, the need for states to develop effective mechanisms of national coordination. Third, globalization and the continued decrease of barriers to international trade dictate that capacity building must be a prime consideration in the pursuit of national development objectives. Fourth, states must reevaluate their working relationships with civil society and non-governmental organizations. Finally, legal education systems around the world must work to produce legal practitioners who are not only imbued with knowledge of the challenges of international life, but are also equipped to deal with them.