Abbreviations used in the References.

B.Y.I.L. - British Year Book of International Law.
P.C.I.J. - Permanent Court of International Justice.
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7. Plato: Republic BK II p.358 (Lindsay Trans).

8. See, Mariana: "De Rege, et Regis Institutione".


16. Locke: "Two Treatises" Book II, Chap.2.


25. Roscoe Pound: Interpretations of Legal History p.3.


27. Satapatha Brahmana III, 4, 2.

28. Mahavarata: Santiparvam. Verses 14-17, 19 (LVIII)

29. Ibid - Santiparvam. Verses 17, 12 (LXV)

30. Mahavarata: Santiparvam Ch.65 Verse 19.

Ibid - Verse 20
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36. Toynbee: Study of History Vol III.

37. Miraglia: Comparative Legal Philosophy p. 320.

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1. Friedmann: Crisis of the National State,
   Hertz: Nationality in History and Politics.

   G. Radbruch: Nachtsphilosophie (1932).
   E. H. Carr: Twenty Years' Crisis
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7. Schwarzenberger: Power Politics, p. 84.


13. Mars. Pad, 1, 8, 12.
    Nich. Cus III Ch. 4.


31. Friedmann; An Introduction to World Politics p.37.
32. Friedmann; Legal Theory p.386.
43. See Kelsen: General Theory of Law and State.
44. Rigveda VIII. 25.8.
46. Rigveda I. 80. 15.
47. Rigveda: 1.80.16.

48. See, "State and Economics in the Middle East" by Dr. Alfred Bonne (1955) p. 6.

49. Lenin - State and Revolution,

50. See the Article by Mintauts Chakste, Formerly Justice of the Supreme Court of Latvia in (1949) Vol. 43 A.J.I.L. p.21.


53. See the Article by Chakste in (1949) Vol.43 A.J.I.L. p.32.


55. Krabbe - The Modern Idea of the State (translation by Sabine and Shephard)

56. For Maitland's views see his "Collected Papers" edited by Fisher and also "Political Theory of the Middle Ages."


58. Laski - Problem of Sovereignty; Chap.1; Authority in the Modern State.

59. For general discussions of pluralistic doctrines of state, see M.P. Follett - The New State, Chs.28-32.
60. - See - MacIver - The Modern State.

61. See in this connection - H.E. Cohen - Recent Theories of Sovereignty.

62. Ibid - p.147.
Chapter III.


   See also Pound - Introduction to the Philosophy of Law.


5. Spencer: Social Statics; Man Versus the State; Principles of Ethics, pt IV; Study of Sociology Pp 270-271.


15. See in this connection Rex V International Trustee (1937) A.C.500.


17. See: James Marshall; "Swords and Symbols: The Technique of Sovereignty."

18. See the article "The Priority of Russian Juristic Thought in the Establishment & Development of the Theory of Sovereignty."


22. Diagnosis of our time by Karl Mannheim.

Chapter IV.

1. Such as relations between non-sovereign states within a federal union, as in the United States in numerous cases before the Supreme Court; e.g., New Jersey v. Delaware, 291 U.S. 261 (1934), or in Germany, e.g., Baden v. Wurttemberg, 116 Reichsgericht in Zivilsachen Anhang 18 (Staatsgerichtshof, 1927), Annual Digest, Case No. 36 (1927-28), or Switzerland, e.g., Thurgau v. St. Gallen (Bundesgericht, 1928), Annual Digest, Case No. 289 (1927-28); or relations between a sovereign and an (internationally) non-sovereign state, as in the British Empire, upon a statement of a Secretary of State to the effect that the Crown treats the latter state as sovereign, M'Gheil v. Sultan of Johore, (1894) 1 Q.B. 149; Duff Development Co. v. Kelantan Government, (1924) A.C. 797 (H.L.); or relations of states with an international organization created by treaty, such as the United Nations, Reparation for Injuries Suffered in the Service of the United Nations, International Court of Justice (Advisory Opinion, April 11, 1949), L.C.J. Reports, 1949, p. 174; and see U.N. Charter, Art. 43; or with a person or authority recognized as having a special international status, as in the case of the Papacy during the period of the "Roman question" from 1370 to 1929, or conceivably with other individuals or persons, cf. Jessup, A Modern Law of Nations, esp. pp. 3-10, 12-14, 15-26.


5. Lauterpacht: The Function of Law in the International Community.

6. P.C.I.J. Series B. No. 5 p. 27.


14. For a lucid analysis of the European States System, see: R.B. Mowat: The European States System.


17. Development of International Law - Butler and Maccoby Chap VIII p.249.

18. Pufendorf: De Jure Naturalis et Gentium, iii, 2,2. quoted by Butler and Maccoby in "Development of International Law."


22. Cf. Fourteenth Amendment to the Constitution of the United States (Section 1); Article 14 of the Constitution of India.


27. Ibid p. 254.


31. Spiropoulos: L'Individu en droit international p. 32.

32. See the article in vol. 46 A. J. I. L. p. 428 by George Manner.


38. See Bosanquet: Philosophical Theory of the State.


42. Schwarzenberger: Power Politics Chap.5 p.92.

43. Julius Stone - Legal Control of International Conflict Chap.XIII.

44. Oppenheim: International Law. 7th Ed. p.653.


47. Fenwick: International Law p.611.


49. For the historical background from the middle ages to the early modern period See 64 Hague Recueil 161-165.
50. Lauterpacht - Recognition in International Law p.33. For a general discussion see also T.C. Chen - International Law of Recognition.

51. See Phillipson: International Law of Ancient Greece and Rome, I, Chaps XIII-XV.

52. Grotius: De jure belli ac pacis Eng. Trans. Bk III, Chap XX.

53. See in this connection the statement of Secretary Hull, July 16, 1937. (Hackerith: Digest Vol. V, 164).


55. Lawrence: Principles of International Law. SS 134.

56. Grotius: De jure belli ac pacis, Bk. II, Chap XII, Sec. X.


58. Royal Institute, Documents 1933, p.196.


Chapter V.


3. See 1/1 U.N.C.I.O; DOC 382 1/1 19.

4. U.N.C.I.O; DOC 944, 1/1 34.

5. Oppenheim, International Law (7th Ed. by Dr. Lauterpacht). p. 375.


7. Joseph Stalin, November 6, 1944.


10. Schuman: International Politics. p. 357.


12. See Art 24 of the Charter.

13. See Art 41 of the Charter.

14. See Art 42 of the Charter.

15. See Articles 53 of the Charter.


18. See Art 43 of the Charter.


20. "Organising for Peace" by Cheevar and Haviland.


22. See Article 51 of the Charter.

23. Principles and Problems of International Politics. See the Article on "the Myth of World of Government" by R.Niebuhr.


31. Ibid; p.34.


38. Friedmann: Introduction to World Politics. p.149.


43. See Art 4, para 2 of ANZUS Treaty; Art 4(1) of SEATO Treaty; See also the speech of Secretary Dulles before the Senate Foreign Relations Committee.

44. See the unofficial English translation reprinted in supp to the A.J.I.L. Vol.49 p.47.


46. Friedmann: Introduction to World Politics. p.149.

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4. Dr. Figgis: From Gerson to Grotius p.16.


12. See Preamble to the Covenant of the League of Nations.


17. Austin: Lectures on Jurisprudence or the philosophy of Positive Law. (5th Ed. 1885)
   i. 182
   ii. 754.

18. See Contemporary International Relations Readings (1950-51) by Norman J. Padelford; Article by A.H. Feller p. 33


22. See the English translation by Manning of the abridged version of his book.


    See also George C. Guins - Soviet Law and Soviet Society. (1954)


31. See in this connection Kojevnikov and Rappaport's views.


34. Compare in this connection the views of Makarov.


38. Ibid.


40. See the article in Isvestiga, November 18, 1934 quoted in The Times, November 19.


45. See Brailsford, War of Steel and Gold; Beard: The Open Door at home. Staley: Raw materials in Peace and War; World Economy in transition. Sharp and Kirk: contemporary International Politics. Part III, "Economics of World Politics."


47. Charter, Art I, paras 1,2,3. Art 2, paras 1,3,4.


49. See the article "Codification and Development of International Law" by H.Lauterpacht in (1955) Vol.49 A.G.I.L. p.16. (The article was contributed before the author became a Judge of the International Court of Justice.)


52. See: Recommendations and Reports. p.47.


54. Friedmann: Legal Theory.


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10. See paragraph 7 of Article 2 of U.N. Charter.


20. See the Article by Prof. C. H. Alexandrowicz in Indian Year Book of International Affairs, 1952.


24. The World Community (Ed. Quincy Wright) See the Article by Louis Wirth.


31. Law and Society in the relations of States by Corbett (1950) Year Book of World Affairs p. 36.


34. See in this connection "The Legal Community of Mankind" (1954) New York.

35. See in this connection, E.A. Gutkind - Revolution of environment. p.164.


38. "In Place of Fear" by Aneurin Bevan p.46.


41. MacIver and Page: Society p.11.

42. See Article 55 of the U.N. Charter.


44. Allgemeine Rechtslehre (1905) quoted in Friedmann "Legal Theory" p.387.

45. Friedmann: Legal Theory.
46. See: Kelsen: General Theory of Law and the state.

47. Lauterpacht: Function of Law in the International Community. p.60.


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2. Year Book of World Affairs 1954. See the Article on Problems of International Government by Max Beloff. p.3.


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7. See in this connection, McNair: Neutrality and the League of Nations.


17. Thomas Baty: International Law in Twilight.


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26. Serbian and Brazilian Loan Cases: Publications of the Court, Series A, Nos.20/21 at p.44.

27. See Dr. Mann: The Legal Aspect of Money Pp 63 ff, 191 ff.


32. Decision of 1 February, 1938. Eutscheidungendes Schweizerischen Bundergerichts. 64 II p.188.


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44. League of Nations Official No. \( C : 351(a) \) M.145(a) 1930 V, p. 13.


51. See in this connection Art II of Hague Convention IV and Art IX of Hague Convention XI.

52. See the article on The Geneva Conventions of 1949 by R.T. Yingling and R.W. Ginnane in (1952) A.J.I.L. Vol. 46 p. 393.
53. See the Joint Committee Report to the plenary Assembly Final Record, Vol. II(B), p. 1.


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66. See in this connection the examples noted in "The International Law of the Future". 1944. Comment on Principle 2,45.


68. Statement by Mrs. Franklin D.Roosevelt on Dec. 9, 1948,


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75. See in this connection the proposal of the Delegate of Panama and its rejection by the Committee. Conference Doc. 756, 1/1/25, 2 June, 1945.
76. See Art 13 of the U.N. Charter.

77. See Art 62 of the charter.

78. Lauterpacht: International Law and Human Rights, p.149.


80. Re Drummond Wren (1945)4 D.L.R.674.


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33. As envisaged by President Benes (Rebuilding Europe) Mr. Wallace (speech of December 28, 1942) and the Report of the Inter-American Juridical Committee (1943).

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