

Panel Discussion

on

"Engagements with International Law Teaching Research and Practice in India"

(October 05, 2024)

A panel discussion on "Engagements with International Law Teaching Research and Practice in India" was organized on 5th October 2024 by the Committee to Organize Seminars, Workshops, Extra-Murals, and Special Lectures at Dr. Ram Manohar Lohiya National Law University, Lucknow. The panel had Prof. (Dr.) V.G Hegde, Chairperson of Centre for International Legal Studies, J.N.U, Dr Luther M. Rangreji, Joint Secretary of Ministry of External Affairs, Dr. Stellina Jolly, Associate Professor of South Asian University, and Dr. Srinivas Burra, Associate Professor of South Asian University.



Dr. Abdullah Nasir, Assistant Professor of Dr. Ram Manohar Lohiya National Law University, delivered a welcome address in which he raised a broader question about the meaning of international law for India. He emphasized the historical dominance of the Global North in shaping international law, often at the expense of the Global South, perpetuating visible power imbalances. Furthermore, he discussed the duality of law as both a tool of oppression and emancipation, noting how international law has played conflicting roles throughout history. The panel discussion, he noted, aimed to reflect on these

issues and consider how international law may be reformed to respond more effectively to global crises, particularly in the Global South.



Dr. Amar pal Singh, Vice Chancellor of Dr. Ram Manohar Lohiya National Law University, in his address, emphasized that the current global situation is marked by rapid, unprecedented changes that have left societies unsure of how to respond. He noted that although international law has evolved over the years, it remains predominantly Eurocentric, with the Global North failing to address the urgent issues of the Global South, such as humanitarian crises and conflicts, which require immediate attention. He stressed that it is high time we re-evaluate the global landscape with fresh perspectives. This panel discussion, he noted, is a crucial step toward unravelling these complex issues and framing new policy approaches. He concluded, there is a dire need for a renewed framework of international law to navigate the unprecedented challenges of our times.

Prof. (Dr.) V.G. Hegde emphasized the critical importance of engaging with international law. He argued that while international law operates within a global framework, its real impact is felt domestically. National courts frequently refer to international law when interpreting local laws, indicating that these legal principles significantly influence domestic judicial decisions, despite the absence of enforceable sanctions. He illustrated the relevance of private international law in cases like international marriages and divorces, where jurisdictional conflicts arise. Prof. Hegde concluded by urging students to actively engage with international law, as it intersects with numerous legal fields and is essential in navigating today's complex global landscape.

Dr. Luther M. Rangreji emphasized the significant role of international law scholars as both educators and researchers, highlighting how international law continuously shapes global affairs. Unlike domestic law, international law

extends its influence across various aspects of life, from diplomatic negotiations to treaty obligations. He stressed the importance of legal advisors in interpreting treaties and maintaining the integrity of international agreements, Dr. Rangreji argued for clear state obligations under international law, citing the Vienna Convention on the Law of Treaties, which emphasizes treaty interpretation in line with its object and purpose. He underscored that legal advisors must not only respect but also improve the international legal system by offering expert guidance. The effectiveness of these legal advisors, he concluded, depends on their knowledge, sound judgment, and ability to navigate global challenges.



Dr. Stellina Jolly emphasized the distinctive nature of International Environmental Law (IEL), noting its relatively recent emergence compared to other branches of international law, with just about 50 years since the Stockholm Treaty. Unlike other areas of international law where treaties and customary laws hold more weight, IEL depends heavily on political consensus, as demonstrated by the non-binding commitments of the UNFCCC and the voluntary pledges of the Paris Agreement. This lack of enforceable obligations undermines the implementation of environmental measures, and Dr. Jolly called for a critical examination of the political forces behind such laws. She argued that a strictly positivist approach to IEL is inadequate, as it fails to account for the political and class dynamics that often result in adverse consequences, such as the displacement of indigenous communities. Dr. Jolly urged scholars to look beyond legal texts and consider the intersection of law and politics in shaping environmental regulations. Recognizing these underlying forces is crucial for effectively addressing the complexities and limitations within IEL.

Dr. Srinivas Burra stressed the importance of historical lens in understanding the problematic legacies of international law. He underscored the deep connections between colonialism and contemporary international law and its role in shaping international law stressing the need to critique its formal doctrines. He emphasized that international law is a deeply gendered regime, emphasizing the importance of reflexivity in legal scholarship. He encouraged scholars to move beyond positivist approaches to better understand the diverse forces that shape international law. He urged that researchers must acknowledge their own backgrounds and biases when engaging with international law, challenging the idea of absolute objectivity. According to him, international law is not shaped by a single truth but rather by multiple perspectives, each influenced by varying contexts. He also pointed out the alternative meanings of sovereignty, illustrating the complex and evolving nature of sovereignty in international law.

The panel discussion concluded with a vote of thanks delivered by Dr. Prem Kumar Gautam, Associate Professor and Chairperson of the Seminar Committee.