Topic: Relationship Between International Law and Municipal Law

Student Name: Ali Ahmad

Roll Number F22 1045

Subject: Public International Law

Submitted To:Madam Ammina

Date:21/November/2025

Introduction

International Law is a system of rules that governs the conduct of sovereign states and international organizations. It covers various areas such as treaties, diplomacy,war,peace, and global cooperation. On the other hand, Municipal Law (Domestic Law) consists of the internal laws of a state, including constitutional,civil, criminal,and administrative laws. Both systems perform different functions but often interact and influence each other.

What is International Law?

International Law refers to rules and principles that states consent to follow in their relations with each other. These rules develop through treaties,international customs, general principles of law, and judicial decisions of international courts. Its purpose is to promote peace, cooperation, human rights, environmental protection,and orderly relations among states.

What is Municipal Law?

Municipal Law is the internal legal system of a state. It regulates the behaviour,duties, and rights of individuals and institutions within the state's territory. It is created by the legislature, implemented by the executive, and enforced by domestic courts. Unlike international law, it applies only within the borders of the state.

Relationship Between International Law and Municipal Law

The relationship between International Law and Municipal Law has been a topic of discussion for many years. Although they operate in different spheres, both systems often influence each other.

1.Different Areas of Application:

International Law applies between states, while Municipal Law applies inside the state.

2.Different Sources of Authority:

International Law is based on the consent of states, while Municipal Law is based on the authority of the legislature.

3. Conflicts between the Two:

Sometimes international obligations conflict with domestic legislation. States develop methods to resolve these conflicts depending on their legal approach.

4. Implementation of International Obligations:

Many states incorporate international treaties into their domestic laws to fulfill their global commitments.

5. Role of Judiciary:

Courts often interpret domestic laws in harmony with international rules to ensure consistency.

Theories Explaining the Relationship

1.Monistic Theory

According to the Monistic Theory,International Law and Municipal Law form a single legal system. International Law automatically becomes part of the domestic legal system without any need for further legislation. Supporters of this theory consider International Law superior.

Example:

Countries like the Netherlands adopt this approach,where international treaties directly apply in domestic courts.

2.Dualistic Theory

Dualism states that International Law and Municipal Law are two separate systems.International Law is not automatically applicable within the state; it must be formally adopted through legislation.

Example:

Pakistan and the United Kingdom follow the dualistic approach,requiring parliamentary approval before a treaty becomes enforceable internally.

3.Harmonization Theory (Modern Approach)

Modern scholars support a harmonized approach. According to this view,International Law and Municipal Law should work together. Courts try to interpret domestic laws in a manner consistent with international obligations to avoid conflicts.

Conclusion

International Law and Municipal Law are different in their nature, sources, and areas of application.Their relationship is explained primarily through Monistic and Dualistic theories, while the modern trend focuses on harmonization. Today, states recognize the importance of aligning their domestic laws with international obligations to maintain global cooperation, legal consistency,and stability.