Lahore Leads University

Department of Law

Assignment : International Law and Municipal Law

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International Law

Relationship Between International Law and Municipal Law

1. Introduction:

International Law regulates relation among states while Municipal Law governs with domestic aspects of the Government and deals with the issues between individuals and between indiviaduals and administrative organization. Municipal Law is also known as National Law or State Law. The international law and municpal law are different from each other.

2. **Theories about Relationship Between International Law And Municipal Law:**
    i) Monistic Theory
    ii) Dualistic Theory
    iii) Transformation & Specific Adoption Theory
    iv) Delegation Theory

i) Monistic Theory:

According to this theory all laws are single unit composed of binding legal rules. International Law and Municipal Law are essentially one, in as much as the International law regulates the conduct of states, and municpal law deals with the issues of individuals. These two laws are two phases of one and something and not different form each other.

ii) Dualistic Theory:

According to Dualistic Theory International Law and Municipal Law are two different laws. The subjects of international law are states only while the subjects of municipal law are individuals. The source of municpal law is the will of the state itself whereas the source of international law is the will of states.

iii) Transformation and Specific Adoption Theory:

According to Transformation and Specific Adoption Theory Rules of international law do not become part of national law until they have been expressly adopted by the states through proper manner as Legislature.

iv) Delegation Thoery:

According to Delegation Theory there is delegation of a right to every state to decide for itself when provisions of International Law are came into force.

3. Difference Between International Law and Municipal Law:

1) As to Relation:

- International Law deals with relations of sovereign states with each other.
- Municipal Law deals with rights and duties of Individuals subjects.

2) As to Application:

- International Law is applicable to all states.
- Municipal law applies to one state.

3) As to Enforcement:

- International Law has not power and machinery for enforcement.
- Municipal law has power and machinery for enforcement.

4) As to Source:

- International Law is not come out of legislation of Sovereign authority.
- Municipal Law is out come of legislation by National Parliament.
