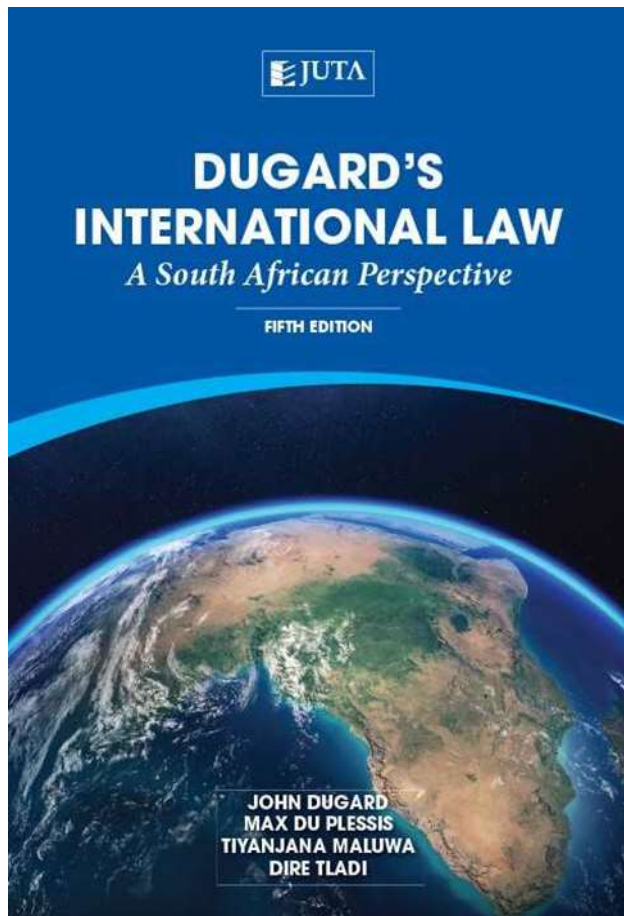


Book Review



DUGARD'S INTERNATIONAL LAW A South African Perspective

(Fifth Edition)

(938 pages)

by John Dugard, Max Du Plessis,
Tiyanjana Maluwa & Dire Tladi

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***"Peace, commerce and honest friendship with
all nations – entangling alliances with none."***

– Thomas Jefferson (1743-1826), 3rd President
of the USA, in his first inaugural address on
04 March 1801.

The complex web of interlinking, overlapping and intertwined international law threads that weave their intricate way around the globe seethe and squirm in a constant state of flux. Political, economic, social, cultural, environmental and a myriad

other ties between countries and people are bound and severed, joined and realigned as the ebb and flow of changing tides dictate.

The rise and development of public international law to seek to regulate relationships between different states on a basis of consensus has expanded into an extensive and unique realm of the law. Its influence and impact is felt in almost every sphere of modern activities.

This fifth edition of a book first published 25 years ago in 1994 at the time of the establishment of a constitutional South Africa, has undergone major updating to take into account new developments both internationally and in South Africa. Now titled in tribute to the original author John Dugard, who remains one of the four current editors, this edition examines international law from a South African perspective. This works effectively to give context and a comparative focus to this wide-ranging field.

The editors have marshalled their own contributions and those of seven other authors into an impressive body of work. The origin, nature, principles, theory and substance of international law are explained clearly and logically in a well-organised and readable text. The 26 chapters range far and wide, from customary international law, territorial disputes, international terrorism, war crimes, extradition, diplomatic immunity, asylum and refugees, to maritime zones, air and space law, hazardous waste, and human rights.

The role and responsibilities of states and international organisations such as the United Nations, the World Trade Organization and the African Union are discussed. International conventions, covenants, declarations, treaties and agreements are examined and their significance analysed. The adroit manner in which the authors approach the sheer weight and complexity of these potentially contentious topics, enables the reader to gain an understanding of the underlying purpose and legal basis for the application of international law in each particular case.

There is a wealth of actual examples, precedents and case studies woven throughout these pages. They illustrate the need for international legal intervention, how this has taken place, and how effective it was. The authors do not shirk from critical commentary, for example in considering the invasion of Iraq in 2003 by the United States of America and United Kingdom. One of the authors, Arnold Pronto, observes:

"International organisations, as subjects of international law, are also capable of committing internationally wrongful acts, thereby incurring international responsibility."

One of the co-editors, Professor Dire Tladi, has recently published an instructive paper in **The South African Law Journal** (Vol 135 Part 4, 2018 – Juta) entitled *The Interpretation and Identification of International Law in South African Courts*, which examines the performance of South African courts in approaching international law. This article further illustrates the on-going evolution of international law documented in the book.

This is a work of outstanding scholarship. The exceptional academic and professional qualifications and experience of the editors and authors are evident throughout in their authoritative writing, rigorous research, and sure grasp of a global environment where the law struggles to net the slippery eels, big fish and marauding predators roaming an ever-shrinking yet ever-expanding planet.

Judicial officers, legal practitioners, legislators, government officials and diplomats, law enforcement authorities, cross-border commercial investors, international organisations, scholars and students alike, will find this edition to be an informative treasure chest of exceptional value.

Review by Louis Rood BA LLB (UCT), Consultant at Fairbridges Wertheim Becker Attorneys.