

SOVEREIGNTY--MODERN APPROACH TO A REGRESSIVE CONCEPT

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ABSTRACT

Sovereignty as a supreme authority within the state system moves in the context of International Law with reference to the contribution of Grotius of the early 17th century. Grotius has taken the concept of Sovereignty to a level where the consideration of the problem of maintaining the sovereignty in a multi sovereign environment which requires law to regulate the sovereign systems and to have International legal framework to co-ordinate sovereign relations (International Relations) and to provide International Restraints on the sovereign state systems. A reference to the Treaty of Westphalia (1648) in the juridical development of sovereignty-- a juridical framework that has reflected in the most theories of International law which is founded on the Nation State system. This Article refers to the work of International scholars and Philosophers. Early International Lawyers have agreed the changing concept of sovereignty where the subordination of sovereignty to the international obligation. These developments have been confronted by the theory developed by English legal philosopher John Austin and his view of sovereignty as blatant indication to the use of positivistic approach. His approach was to deny the legal character of International Law.

Conclusion: Sovereignty is a contested concept of legitimacy and authority. The revolutions of the 18th century are an example of this concept. The nation-State and sovereignty are two entities that are closely connected which is very difficult to tell them apart. It has proved to be troublesome in the area of National and International level.

KEYWORDS: *Sovereignty, International Law, Nation State*

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