

and global peace making missions failed as a result of this. The Havana Convention on 1928 was the first step in the right direction.

The adoption of this convention was looked as for promoting global peace in the world. It helped in significantly transforming the customary laws, which were in operation for some 200 years. Consular relations were setup to guide these customary laws. Free communication was at the heart of facilitation for these consular functions. To develop diplomatic services, freedom to share information was provided to these consular officials. Moreover, other nation consular was given a free path to meet each other. Smooth communication was ensured through this, which holds key to better diplomatic relationships (Frankowska, 1987).

The element of reciprocity in the structure of the articles of Vienna Convention ensured the smooth working of diplomats. The fear of being caught or being traced has now vanished in the light of the articles of Vienna Convention. It provides safeguard to the diplomats performing their diplomatic activities as laid out in Vienna Convention. The concept of diplomatic immunity and diplomatic property turned out to be the cornerstone of modern diplomacy.

International Law and Contemporary Diplomacy

The recent changes in the diplomacy have improved upon the definition of international law. The current definition of International law should keep up the pace with the conditions of international life, which is affecting the current status of international relations. There has been emergence of new actors now, both state and non-state (Latane, 1906). Moreover, corporations and organizations have emerged in the global paradigm throwing new challenges for inter-state relations. Diplomacy, in the current scenario is also dictated by bureaucracy in certain states, which challenges the merits of international law. The impact of

globalization has been multi-pronged. Firstly, autonomous state actors have ever-growing powers in the current international system. Secondly, global problems are complex enough to ask for answers that are beyond state control and governmental regulation. Finally, global and political economic environment can change drastically with the passage of time (Chatterjee, 2013).

With global organizations, the relations between states and international organization have been known as issues which involve greater regulation in the current new world order. The authority and integrity of international organizations and their approach is well audited in current times in the global context. Another trend that has emerged in the recent pass is the presence of NGO's and their conduct on both national and international levels. The global issues that these organizations are targeting involve disaster relief, environmental protection, human rights, education, literacy and waters. The main barrier is to ensure that these objectives are fulfilled against the odds of externalities or sinister agendas. Also, it's required to ensure that these objectives are flexible enough to accommodate any changes since the world is changing at the rapid pace.

International law is a huge umbrella now and as of today, it demands further efforts to be made on the part of diplomacy to work for the betterment of not a single state but the whole world. This is only possible when diplomacy is involved in politics and not politicking any issues pertinent specifically to the human race, and generally to the environment.

LITERATURE REVIEW

In order to understand the crux of the relationship between international law and diplomacy, we first need to look at the thoughts presented by the researchers so far in this regard. Much work has been done in the past few decades by the researchers to explore the relationship

between international law and diplomacy. In the prevalent era, international law is not merely a subject only to be studied by social scientists. It has become of immense importance and has far reaching political implications. In this regard, few of the worth-mentioning researchers are highlighted below in this section.

As pointed by Hurd (2011), a state talking about the businesses of other states is termed as diplomacy. The structure of international politics is based on the notion of diplomatic relationships among states. Peaceful dialogue between the states over serious issues is beholden of Diplomacy. However, the importance of international law in the practice of diplomacy cannot be overlooked.

Hurd emphasizes on the fact that when states practice diplomacy and are involved in diplomatic ties with other states, make use of International Law to defend their actions. The courses of action adopted while carrying out peaceful negotiations with other states are developed in accordance with the international law. Therefore, international law is to be considered as the most important pillar for carrying out peaceful negotiations among states.

According to Slaughter (1995), international relations in the world of liberal states are backed by international law. The applicability of international law is not only restrained to the diplomatic relationships between states, but is also extended to the non-state actors and their interaction with their transnational counterparts.

There exists no specific institutions that set these international laws; rather it is a continuous process. International treaties, precedence and societal norms are the most important factors that shape international laws. A specific institution does not maintain the enforceability of international laws; rather the compliance to international laws is more of a moral obligation. Presently, the case of Melian Dialogue can be used as the best example to describe the

situation of international diplomatic relationships and the role of international laws in it (Wassermann, 1947). Mostly, powerful states have low or negligible pressure to abide by the international laws, whereas this is not the case with weaklings.

International Laws and Tracks of Diplomacy

As soon as diplomatic relationships among states gained recognition and were formalized, the nature of diplomacy and the tactics used in it began to evolve. In the early decades of initiation of formal diplomacy, after the ratification of Vienna Convention, diplomats figured out that Government-to-Government negotiations are not enough to cater the needs of conflicts among states. The increasing trend of multilateral diplomatic ties also triggered the rapid growth of conflicts among states (Böhmelt, 2010).

Once the states recognized diplomacy as a tool to find out the solutions of their long lasting problem, they started utilizing it, though not efficiently. The backend support of Vienna Convention and the element of reciprocity helped the states to carry out negotiations in a secure environment. However, despite being international laws at their service, states were unable to resolve many of their prime issues.

Joseph Montville in 1981 coined the terms Track 1 and Track 2 diplomacy that soon turn out to be a great twist in the field of diplomacy (.McDonald & Bendahmane, 1987) Track 1 diplomacy referred to the interaction among the governments of two states. All the diplomatic activities carried out between two states officially are to be termed as Track 1 diplomacy. The concept of Track 1 diplomacy is more of formal relationships that involve the interaction among high profile government officials of the states to address the issues of serious nature. On the other hand, Track 2 diplomacy referred to the idea of informal diplomatic activities

that were carried out by the non-governmental organizations and people. More commonly the track 2 diplomacy is referred to as the diplomacy among non-state actors.

This distinction was made by Montville to aid the process of negotiations among states. After the distinction of tracks of diplomacy, diplomats started to identify the nature of problems according to their track of diplomacy i.e. by which track the problems needs to addressed. This helped the diplomats to address severe problems in a subtle manner through track 2 diplomacy. The track two relations between US and Iran is the prime example of track 2 diplomacy in action. Another example to illustrate the importance of diplomatic tracks is the Track II diplomacy between India and Pakistan. Despite the rise of tension on borders of the neighboring countries, the track II diplomacy was not only unaffected, but also turned out to be helpful in neutralizing the on border agitation between the countries. Moreover, it also enunciates the strengths of track 2 diplomacy.

It is pertinent to mention here that the rapid evolution of the field of diplomacy has introduced many new tools of conflict resolution. Recognition of the importance of tracks of diplomacy helped the researchers to innovate the ideas of track 1.5 diplomacy, track 3 diplomacy and multi-track diplomacy, each having its own merits and strengths. With the development of further tracks and innovative tools, the researchers have minimized the risk of failure of diplomacy to a lower level (Mapendere, 2005).

Although, international law is considered to be a support to maintain diplomatic relationships, however, the role of international law is much more restricted when it comes about the different tracks of diplomacy. Only track 1 diplomacy is the official form of diplomatic activities between states and are subject to the laws and regulations laid out by the international community. The form of somewhat official diplomacy is track 1.5 diplomacy,

where state and non-state actors are both involved in carrying out negotiations hence it is also subject to international laws.

The other tracks of diplomacy in which non-state actors like public, NGOs, Multinationals and transnational organizations are involved are not bound by the international laws. The non-official tracks of diplomacy have strength to address severe issues in a subtle manner, but do not have any binding force. Due to the absence of a binding force, the process of negotiations sometimes goes haywire and inconclusive, thereby stressing on the importance of international laws and binding forces in carrying out diplomacy (Diamond & McDonald, 1996).

Success of Contemporary Diplomacy and International Law

The availability of the option of adjudication is indeed a gift to contemporary diplomacy. The establishment of International Court of Justice proved to be a catalyst in carrying out peaceful negotiations successfully. The initiation of war between two states can be viewed as the failure of diplomacy, but by no means can it be considered as the end of diplomacy.

The two most destructive world events known to mankind are World Wars. The subsequent event of World War II was due to the absence of any central authority. The establishment of UNO and its bodies together with the clause of enforceability of international laws in its charter turn out to be a blessing in disguise for the states.

Vienna Convention is indeed the least controversial document we come across in the studies of International relations and diplomacy, however, the true power of Vienna Convention lies on the presence of International Laws. The increase in the success rate of peaceful negotiations among states through arbitration, good offices and the other tools of contemporary diplomacy is beholden of International Laws up to some extent. Other factors

of the success of contemporary diplomacy include multi-polarity of power, good governance, globalization and governments entering frequently into treaties and forming alliances.

The view of international law aiding contemporary diplomacy to successfully meet its milestone can further be proved with the help of recent global events. “Dikko Affair” is the most illustrious example of the case when international law came in handy to carry out peaceful negotiations between Nigeria and United Kingdom. The situation was certainly not manageable if there wouldn’t have been Vienna Convention serving as a protector to eliminate the possibilities of a possible war (Akinsanya, 1985). In the presence of international laws and its binding forces, such a situation was only resulted in a two years of disconnection of diplomatic relationships between the two countries, thereby, signifying the important role of international laws in contemporary diplomacy.

Extract of Available Literature and Global Political Scenario

A quick peep into the recent history of the global political events strongly suggests that diplomacy has become of prime importance in today’s world. The increasing importance of diplomacy is because of its ability to resolve issues of serious nature over table talks. Nevertheless, the success of diplomacy is said to have been dependent on international laws. The structure and enforceability of international laws with reference to diplomatic activities is playing a vital role in the success of contemporary diplomacy.

Diplomats employing the tools of contemporary diplomacy have faith on international laws that are watching their backs. History suggests that before the establishment of United Nations and International Court of Justice, there was absence of a central authority that could enforce international laws. Such an absence of a binding force was the reason why the diplomacy had lower success rates. Therefore, proper structure of international laws (i.e. on

the basis of reciprocity) and enforceability of laws were considered as the integral part of diplomacy and related activities.

Not only the historical events point towards the importance of international laws, but the available literature also suggest strong correlation between international laws and contemporary diplomacy. The failure of 'League of Nations' taught many lessons to the states, enunciating the importance of international laws.

CONCLUSION

The summary of the above discussion pinpoints us to few important yet neglected points by the contemporary diplomats. Firstly, diplomacy itself has no power unless backed by the international laws. It is the power of treaties and laws that enables the diplomats to carry out their diplomatic activities freely inside the territorial boundaries of host countries. Secondly, the nature of prevalent diplomatic activities indicates the lack of vision and homework. It is only the global political pressure and international agencies that help the countries to reach to a unique solution, or else the countries themselves are not self-sufficient to take care of the issues of serious nature.

Therefore, the above discussion concludes that law internationally is evolving on continuous basis due to the creation of new decisions and treaties that are taken in the light of continuously evolving and happening current events. In the recent times, there has been a shift and now there is a visible trend to apply international law in states foreign policy as well as protection of rights on individuals. This shift is pronounced by two examples which are the application of international humanitarian law and the international criminal law. These two laws have ensured that international law is now sought after as part of governance in states as well rather than as being used as a medium of interaction between states.

Hence, we can conclude that diplomacy provides a pivotal position between agency and structure in the legal and political framework. It's a social norm which fulfills the requirements of a state and is pragmatic enough not only to maintain interstate relations but also fuel the practical needs of a state. On its own, it's a public activity and utilizes world resources and the interactions between them. Countries in today world protect their image by adhering to these practices and are using this adherence as viable marketing tools. Diplomacy, to sum up, has been the world changer and is affecting the global political and economic scenario in a positive manner.



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