

8. Is International Law True Law?

Despite the fact that international law is the predominant method for organizing an increasingly globalized and complex international community, it has not had an easy time facing sceptics who question its credibility as a legal system which has difficulty in the enforcement of its rules.

Nevertheless, international lawyers have to face a recurring question. Is International Law true Law?

For many international lawyers this question has become both old and tiresome. Nevertheless, legal theorists, scholars and practitioners are by no means unified in their response to this question. It is usually those who put the element of force to the forefront of their theories that faces the most difficulties in describing the legal nature of international law due to, what they view, as its lack of a 'coherent, recognized and comprehensive framework of sanctions.'

This viewpoint has been criticized for over-emphasizing the role of sanctions and for confusing the nature of law in society. Others disagree with this viewpoint, as they do believe that international law does possess a system of sanctions and that it can be enforced.

9. Criminal law

It is a part of law concerned with certain acts (labeled as criminal) that eventually lead to punishment. Although there is no clear-cut definition of what a criminal act is, we can say there are generally two elements to nearly all criminal acts. First, a criminal act is intended to do substantial harm. For example, murder, rape, robbery are considered to be criminal acts. Second, a criminal act involves either criminal intent or guilty mind (mens rea). There are levels in criminal intent (which are relevant to guilt and punishment); the intent to harm in general is a necessary part in a typical case involving personal injury. Unlike civil wrongs that are generally concerned with harm caused by negligent or reckless behavior, criminal wrongs are necessarily the product of intentional, eventually cruel behavior.

Criminal acts are subjected to punishment. Any individual who commits a [crime](#) puts himself or herself at risk for punishment. Punishment can take several forms: a fine, imprisonment, or other forms of diminishing the criminal's freedom, including execution in some jurisdictions. Punishment in criminal law makes the injurer worse off without directly benefiting the victim. One way to think about this idea is through the economic analysis of criminal law. This approach uses the notion of deterrence in monitoring criminal behavior. Sanctions are imposed in an efficient manner in order to prevent the criminal act from occurring again.