

Book Review

Hukum Internasional: Suatu Pengantar (International Law: An Introduction)

by Sefriani

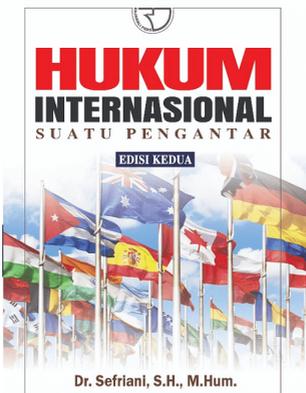
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The problem that often arises for students studying international law and lecturers in preparing teaching materials on international law is the lack of references related to international law. Most of the reference books used are in foreign languages, written by foreign authors, and based on a foreign perspective (An Introduction to International Law by J.G. Starke, International Law by Malcolm N. Shaw to name a few). The lack of national perspective on international law makes the discussion of several concepts and theories regarding international law irrelevant to the conditions and situations in Indonesia.

This condition further escalated the stigma of international law as one of a branch of legal science that is not “down to earth” and less relevant to be studied by law students in Indonesia. This is very unfortunate given the increasing role of international law in national law. The presence of introductory reference on international law including classics such as: Introduction to International Law by Mochtar Kusumaatmadja and Eddy R. Agoes in 2003 and Introduction to International Law by Ali Sastroamidjojo in 1970.

International Law: An Introduction is the second edition of the Introduction to International Law (Pengantar Hukum Internasional), first published in 2009. Since then, this book has been reprinted ten times. This review will focus on the second edition of International Law: An Introduction of the 10th edition published in 2019. The author’s bibliography is located at the end of the book. The Author, Prof. Sefriani, born in Temanggung 6 September 1969. She completed her undergraduate degree in International Law at Faculty of Law, Gadjah Mada University, in 1993.

She then continued her postgraduate studies at BKU International Law at PPS Padjadjaran University Bandung in 2001 and continue her doctoral degree at the Faculty of Law, Gadjah Mada University, Yogyakarta in 2012.

The author is active in publishing various accredited national scientific articles journal and has participated in multiple scientific events at the national and international levels. In addition to publishing this book, the author is also produced several books on the theme of human rights such as acting as the contributor to the Political Context of Contemporary Humanitarian Law as well as written a book related to international trade in 2018, namely Commercial Arbitration in International Law and Indonesian National Law.

This book is printed in a paperback version consisting of ten chapters totaling 352 pages. The arrangement of the chapters illustrates the market segmentation of the book; it shows that this book is intended as a reference book or textbook. The subject matter is arranged thematically in e each chapter containing basic materials regarding international law such as the nature of international law, sources of international law, subjects of international, relation between international law and national law, recognition in international law, jurisdiction in international law, responsibility in international law, as well as issues of succession of states and settlement of disputes in international law. In each chapter of the material discussion, the author describes the objectives of the discussion for each material, a helpful tool especially for lecturers who are preparing teaching materials and student who are studying international law. This book is also equipped with a glossary and indexation, another helpful feature for readers to understand the book's content.

For the most part, the book's substance is almost the same as most international law references. The book begins with a discussion regarding the nature of international law. Then, quotations regarding the definition of international law are taken from various previous authors such as Mochtar Kusumaatmadja, J.G. Starke and John O'Brien. The debate about the existence of international law as actual law also becomes one of the central issues in the discussion of the early chapter. For example, in this chapter, Austin's view regarding "international law as a mere positive morality" to the concept of three legal requirements proposed by Oppenheim to define the "authenticity" of international law are discussed and concluded.

A novelty that has become a trademark of this book is how the author skillfully relates the existing international law theories and concepts with Indonesia's practices and conditions. For example, the determination of Indonesian territorial sea boundaries taken as the evidence on how international law being applied into national law or how it discusses the Free Aceh Movement (Gerakan Aceh Merdeka/GAM) or Free Papua Organization (Organisasi Papua Merdeka/OPM) as an example for the concept of self-determination. Furthermore, the author includes a special sub-chapter that discusses Indonesia and International Law which aims to describe Indonesia's attitude towards International Law which according to the

author has many “ups and downs”. The discussion is divided into three phases: 1) The Old Order era at the beginning of independence (1945 - 1966); 2) New Order Period (1966 - 1998) and 3) Reform Era (1998 - present).

Another marvelous feature of the book, and it comes from the fact that this book is written from an Indonesian perspective, is how well it depicts the interests of developing countries in any discussion of the material. The idea that international law is a western-centric science has long been controversial for some academics. From the perspective of Indonesia, the discussion on the issue of international law and how it influences and affects developing countries is substantial. The author goes as far as to state that international law remains ethnocentric despite various attempts to embrace the interests of developing countries).

The use of international law as a political instrument for developed countries and how it affects developing countries is one of the criticisms discerningly discussed in this book. In this case, the writer seems to endorse the view of the Third World Approaches to International Law (TWAAIL). The perspective of TWAAIL is heavily affects the author’s explanation regarding the historical context of the development of international law. The author provides an example such as Djuanda Declaration to illustrate how developing countries contribute to international law and the Bremen Tobacco Case, which strongly influences the concept of state sovereignty and has a deep-rooted impact on Asia and Africa countries.

To conclude, *International Law: An Introduction* by Prof. Sefriani is an amazing book, especially for Indonesian lecturers trying to introduce international law to their students and for students as an opening door in getting to know international law. This book is an excellent reference to provides a new perspective in understanding international law that is often taken from a western value and complement it with the perspective of developing countries. Furthermore, reading this book evokes an understanding of how significant Indonesia’s role in international law development, and it certainly inflicts my sense of pride for this country.

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