

Their Lordships of the Judicial Committee also in the case of *Re. Piracy Jure Gentium* laid down that opinions of text-book writers were last but not the least among the sources of International Law.

Lawrence is of the view that a writer on International Law is a sense himself legislates for he creates the opinion that is really supreme. A rule may in time become a part of International Law owing to cogency of his arguments, but the writer must not say it is law until it has met with general acceptance and been incorporated into the usages of States.

Grotius developed the law of nations by reference to the testimony of philosophers, historians, poets and even of orators, not that they were to be indiscriminately relied on, but because where many persons in different ages and countries concurred in the same statement, such sentiment or proposition must be referred to some general cause.

6. International Comity. – Comity, in the words of Andrews, J. in *The Russian Socialist Federated Soviet Public v. Cibrario*, is that reciprocal courtesy which one member of the family of nations owes to the others. Oppenheim observes that a factor of a special kind which also influences the growth of International Law is the so-called comity. In their intercourse with one another, States observe not only legally binding rules and such rules as have the character of usages, but also rules of politeness, convenience, and goodwill. Such rules of international conduct are not rules of law but of comity.
7. International State Papers other than Treaties. – Questions at issue between states are often discussed in State papers with conspicuous learning and ability by official jurists who confidentially submit their written opinions to their own Governments. The archives of the foreign affairs department of every country contain a mass of valuable expert opinion, which, if published, would add considerably to the literature on International Law.
8. State Instructions for the guidance of their own officers. – The acts or declarations by statemen, opinions of legal advisers to State Governments or official jurists given in relation to particular matters referred to them by their own Governments, or other State papers of international import, all furnish evidence of usages which grow into international custom in course of time as they are adopted by other States.

**Q. Explain the viewpoints of the Naturalists, the Positivists and the Grotians on International Law.**

**Explain the differences between the schools of naturalists, Positivists and Grotians.**

**Ans.** The seventeenth and eighteenth centuries gave birth to three different schools of writers on the law of nations, viz., the Naturalists, the Postivists and the Grotians.