BLOGS

MCQ’s for Public International Law for CLAT PG [Part 8]

Adtiya Aryan · 11 Jun 2026

International law proceeds on the foundational assumption that while States are sovereign, the exercise of sovereignty is not unlimited. Sovereignty operates within a legal framework shaped by consent, good faith, and the need for stability in international relations. This balance is particularly evident in doctrines that regulate the creation, interpretation, and termination of international obligations, as well as in the permissible scope of enforcement actions beyond a State’s territory.

Treaty obligations, once validly undertaken, are governed by the principle of pacta sunt servanda. The stability of treaty relations would be gravely undermined if States were permitted to withdraw from their commitments merely by invoking political inconvenience or altered circumstances. It is for this reason that international law recognises the doctrine of rebus sic stantibus only in narrowly circumscribed situations. A fundamental change of circumstances must be unforeseen, must affect the essential basis of consent, and must radically transform the extent of obligations still to be performed. Even where such conditions are alleged, the doctrine cannot be invoked unilaterally so as to defeat the object and purpose of the treaty or to escape obligations freely assumed.

Similar restraint characterises the law governing extraterritorial enforcement. The doctrine of hot pursuit represents a limited exception to the territorial sovereignty of States, justified only where pursuit is commenced within maritime zones subject to coastal State jurisdiction and is continuous and uninterrupted. The rationale of this doctrine lies not in the expansion of enforcement powers, but in preventing the frustration of lawful authority through evasive conduct. Any interruption or disproportionate use of force severs the legal justification and converts the action into an unlawful encroachment upon sovereignty.

International law likewise resists attempts by States to determine international legal consequences solely by reference to their internal law. Concepts such as nationality, domicile, or personal status cannot be conclusively defined by municipal legislation for the purpose of

asserting rights at the international level. Where such determinations are relied upon to found diplomatic protection or jurisdictional claims, international law requires a genuine and effective link. This requirement reflects the objective character of international law, which does not permit the manipulation of legal categories to produce international effects without substantive connection.

The theory of auto-limitation provides an important conceptual lens through which sovereignty is understood. States do not lose sovereignty by adhering to international obligations; rather, they exercise sovereignty through voluntary self-restraint. This understanding explains why constitutional or statutory arrangements cannot be invoked to justify non-compliance with international duties. International responsibility is assessed according to international norms, not domestic classifications.

In situations of belligerent occupation, international law draws a clear distinction between factual control and legal title. Occupation does not transfer sovereignty, nor does it permit annexation. The occupying power assumes only temporary authority, accompanied by stringent obligations under humanitarian law designed to protect the civilian population and preserve the legal status of the territory.

Across these doctrines runs a common thread: exceptions to general rules are recognised only to the extent necessary to preserve the coherence and integrity of the international legal order. Necessity, self-help, enforcement jurisdiction, and changed circumstances are not independent sources of entitlement but carefully constrained mechanisms. International law thus reflects a conception of sovereignty as responsibility, exercised within limits imposed by law, consent, and the requirements of an ordered international community.

Q1. The restrictive interpretation of rebus sic stantibus in international law primarily reflects the concern that the doctrine, if broadly applied, would undermine:

a. The principle of sovereign equality
b. The doctrine of pacta sunt servanda
c. The concept of state responsibility
d. The jurisdiction of international courts

Q2. Which requirement most sharply distinguishes lawful hot pursuit from an unlawful extraterritorial enforcement action?

a. Presence of a bilateral agreement

b. Immediate notification to the coastal State

c. Continuity of pursuit from territorial waters

d. Proof of serious offence

Q3. The rejection of unilateral determinations of international legal consequences by States most closely reflects which underlying principle?

a. Non-intervention

b. Objective legal order of international law

c. Diplomatic protection

d. Functional jurisdiction

Q4. In private international law, the reluctance of courts to accept domestic classifications of personal status without scrutiny serves to prevent:

a. Forum shopping

b. Renvoi

c. Manipulation of connecting factors

d. Application of foreign public policy

Q5. Which doctrine most clearly embodies the idea that sovereignty is exercised subject to voluntarily accepted restraints?

a. Act of State doctrine

b. Auto-limitation theory

c. Lotus principle

d. Doctrine of necessity

Q6. The judicial insistence on proportionality in extraterritorial enforcement actions primarily operates as a safeguard against:

a. Abuse of rights

b. Jurisdictional vacuum

c. Fragmentation of international law

d. Diplomatic friction

Q7. Which principle best explains why internal constitutional or statutory arrangements cannot determine international responsibility?

a. Dualism

b. State succession

c. Primacy of international law

d. Exhaustion of local remedies

Q8. The doctrine of forum non conveniens in private international law reflects which broader international legal concern?

a. Judicial economy and fairness

b. Sovereign immunity

c. Non-intervention

d. Territorial supremacy

Q9. The requirement of a "genuine link" in nationality cases was most famously articulated to prevent:

a. Statelessness

b. Abuse of diplomatic protection

c. Double nationality

d. Treaty evasion

Q10. Belligerent occupation under international humanitarian law is characterised by:

a. Transfer of sovereignty

b. Temporary factual control without legal title

c. Automatic annexation rights

d. Suspension of international obligations

Q11. The judicial resistance to expansive interpretations of necessity mirrors the approach taken toward:

a. Self-defence

b. Diplomatic asylum

c. Universal jurisdiction

d. State immunity

Q12. Which doctrine most directly limits a State's ability to avoid treaty obligations due to political inconvenience?

a. Estoppel

b. Rebus sic stantibus

c. Lex causae

d. Act of State

Q13. The reluctance of international tribunals to infer implied consent to jurisdiction primarily protects:

a. Judicial legitimacy

b. Sovereign equality

c. Territorial integrity

d. Diplomatic privilege

Q14. The balancing of stability and flexibility in international law is best described as:

a. Formalism with exceptions

b. Functional constitutionalism

c. Pragmatic normativity

d. Legal positivism

Q15. Which unifying theme best captures the passage's treatment of sovereignty across different doctrines?

a. Sovereignty as absolute power

b. Sovereignty as territorial exclusivity

c. Sovereignty as responsibility conditioned by law

d. Sovereignty as political discretion

Answers

1. Correct Answer: B

Explanation: The doctrine of *rebus sic stantibus* permits withdrawal from treaty obligations only in exceptional circumstances. International courts, particularly the ICJ, have consistently warned that an expansive use of this doctrine would hollow out *pacta sunt servanda*, the foundational principle that treaties are binding. If States could freely invoke changed circumstances, treaty stability would collapse. The restriction is therefore designed to protect the norm of treaty sanctity rather than sovereignty or jurisdiction.

2. Correct Answer: C

Explanation: Under customary international law (and later codified in UNCLOS), hot pursuit must be continuous and uninterrupted from the territorial sea (or contiguous zone, where applicable). If pursuit begins outside territorial waters, or is broken and resumed later, it loses its legal character and becomes a violation of sovereignty. Seriousness of offence or notification cannot cure a lack of continuity.

3. Correct Answer: B

Explanation: International law treats itself as an objective legal system, not one whose content can be determined by unilateral state assertions. This is evident in nationality, title to territory, and treaty interpretation cases, where courts insist on international—not domestic—standards. Non-intervention is related but narrower; the deeper idea is that international legality is not self-judged by States.

4. Correct Answer: C

Explanation: If courts accepted domestic labels at face value (for example, nationality or domicile artificially created), States or individuals could manipulate connecting factors to secure favourable outcomes. This concern explains why international tribunals look for a **genuine and effective link**, rather than formal designation. Forum shopping and renvoi are related but distinct issues.

5. Correct Answer: B

Explanation: The auto-limitation theory explains how States bind themselves through consent to international obligations. Rather than sovereignty being diminished, it is exercised through self-restraint. This theory directly counters the absolutist reading of sovereignty often associated with the *Lotus* principle.

6. Correct Answer: A

Explanation: Proportionality ensures that even when an exception (such as hot pursuit or self-help) is recognised, it is not used excessively. This reflects the broader doctrine of abuse of rights, which prevents States from formally complying with rules while substantively violating their spirit.

7. Correct Answer: C

Explanation: International law consistently holds that States cannot rely on internal law to justify failure to perform international obligations (Article 27, VCLT). This reflects the primacy of international law in determining responsibility, irrespective of domestic arrangements.

8. Correct Answer: A

Explanation: *Forum non conveniens* allows courts to decline jurisdiction when another forum is more appropriate, promoting fairness, efficiency, and avoidance of oppressive litigation. It reflects pragmatism rather than sovereignty or immunity.

9. Correct Answer: B

Explanation: In *Nottebohm*, the ICJ required a genuine connection to prevent States from granting nationality opportunistically to extend diplomatic protection. The doctrine curbs artificial nationality used as a litigation strategy.

10. Correct Answer: B

Explanation: Occupation is a factual condition, not a legal transfer of sovereignty. The occupying power administers territory temporarily and is bound by humanitarian obligations precisely because sovereignty does not pass.

11. Correct Answer: A

Explanation: Both necessity and self-defence are exceptional doctrines that permit deviation from normal rules. International courts apply strict thresholds to prevent abuse, insisting on immediacy, proportionality, and last resort.

12. Correct Answer: A

Explanation: Estoppel prevents States from acting inconsistently with prior conduct or representations on which others relied. It directly curtails opportunistic withdrawal based on political shifts.

13. Correct Answer: B

Explanation: Consent to jurisdiction must be clear and unequivocal. This protects sovereign equality by ensuring that no State is subjected to adjudication without its express acceptance.

14. Correct Answer: C

Explanation: International law maintains normative commitments (treaty stability, sovereignty) while allowing narrow exceptions. This pragmatic normativity avoids both rigidity and opportunism.

15. Correct Answer: C

Explanation: Across treaty law, enforcement jurisdiction, private international law, and occupation, sovereignty is portrayed not as unchecked authority but as power exercised within legal limits, conditioned by consent, proportionality, and good faith.