4. States as the Primary Subjects of International Law

This chapter focuses on the State as the primary subject of international law. It begins with a discussion of the continuing pre-eminence of States as pivotal subjects of the international legal system and then analyses the processes through which States are created; the role of recognition of States, particularly in the context of contested Statehood; the legal rules governing the continuity, succession, and extinction of States; and the evolving concept of sovereignty, which is a notion at the very core of what a State is. The chapter is intended to introduce the main legal aspects of ‘Statehood’, as a first step in the discussion of more advanced concepts in subsequent chapters, such as the State’s spatial dimensions, its immunities and those of State officials, and the many limitations imposed by international law on State action.