

that the U.S.S.R. accepts the need for, and the existence of international law, and that it lacks the capacity, if not the interest, to attempt drastic changes for any ulterior Marxist purposes.

In this context the interest of the Western conscience tends to focus on the most flagrant Soviet violation of conventional law, which occurred when the U.S.S.R. seized territories from her Western neighbours in 1939-1940. But the motives of this lawless act must be read in the light of the circumstances, which have been discussed above, and Soviet motives in general must be read in the light of the general Soviet approach to the law. If this approach seems at times to be depressingly cynical, this is generally due to the greater Soviet frankness in distinguishing between the political and legal elements in a given issue, and not all Soviet legal disputes with the West are unfounded. The Soviet approach is ultimately shaped by considerations of political expediency, as is that of all other nations, and these considerations in time give rise to the usual inconsistencies; but, if a given issue entails a firm commitment and carries implications for the Soviet position which are too remote to be clear, the Soviet attitude is regularly conservative. Thus, in the early 'twenties, Moscow was prepared to justify its renunciation of foreign debt by citing the principle of *rebus sic stantibus* (i.e. that pre-revolutionary treaties could not apply in changed circumstances), and in 1947 it could cite this principle in attacking the Anglo-Egyptian Treaty of 1936; but it was adamantly opposed in 1945 to any formal recognition of this principle which would have given power to the U.N. to amend inapplicable treaties. The Soviet Union has consistently supported all legal efforts to cope with the ultimate problem of war. Thus it has adhered to the three major conventions evolved since 1917 for this purpose — the League, the Kellogg Pact, and, although it refuses to recognize that it has legal, rather than political status, the U.N. In addition, it has been party to a series of multi-lateral and bilateral pacts, none of which has had a clearly offensive, rather than defensive orientation. Indeed, its formal position has been characterized by a sustained drive to extend the framework of conventions which now exist for this purpose: thus its interest in conventions on disarmament, the definition of aggression, and the control of outer space. True, it has steadily resisted any collective effort to control nationalist hostilities against the West, and, for the decade following 1944, it similarly opposed any collective effort to suppress communist hostilities against the West. But in all cases, the U.S.S.R. has shown itself highly sensitive to its legal position, in that it has taken pains to avoid any direct commitment, and, where this has occurred, as in North Korea, to conceal this; moreover, it has generally sought legal grounds on which to attack its opponents and on which to justify its own conduct. Thus the U.S.S.R. is now interested in finding a "legal" basis for "co-existence," in order to protect its controls over public opinion from Western attack. Perhaps the dominant characteristic of the Soviet approach to post-war legal problems is a pathological obsession with sovereignty. This informs the whole nexus of its relations with international organizations, as with foreign powers. It is this which explains Soviet resistance to a disarmament control machinery, Soviet intransigence on citizenship and human rights, and general Soviet mistrust of the U.N. The Soviet attitude to sovereignty has its own relentless logic, and would require the Soviet Government to support the nationalist liberation movement, even if Marxism were suddenly to shake off its anti-imperialist bias. The Soviet position on sovereignty is negative and even strikingly obsolete, and the fact that the U.S.S.R. persists in its stand, although this is preventing it from exerting a maximum influence in international organizations, indicates the degree to which the Soviet régime is nervously preoccupied with immediate defensive problems.

Acceptance of international law, adherence to the major conventions on war, overriding emphasis on sovereignty, research into the existing law, modesty of innovation, and