

unmistakable impression that they place as great a value on the rules and principles of international law as we do in the West, if not a greater.

The newer countries show the highest interest in the progressive development of international law. They have participated most actively in the General Assembly, in the International Law Commission and in diplomatic conferences and other bodies in the development of new international instruments. There is a positive influence on the evolution of international law. They want change; they want to work for change; but most of them are wise enough "to make haste slowly" in their endeavours to shape international law and international institutions in accordance with the interests of all states including their own.

It is true that most of the newer countries have shown reluctance about resorting to compulsory arbitration. Very few have accepted the compulsory jurisdiction of the International Court. There is a preference, a quite understandable preference, for regional organizations and methods, for negotiation rather than arbitration, for treating disputes as political, rather than as legal. We hope and we expect that this attitude will change as these states begin more and more to feel that they are having a say, and are participating fully in the evolution of the international legal order.

But we must not be impatient because the new countries show reluctance to submit their disputes to third-party settlement. Even in the West, we have not ourselves fully acquired the habit of thinking about international problems in respect of the rights and duties of the states concerned. Almost every political problem is also a legal one; almost every legal problem is a political one. Was the Suez problem legal or political? Is the Cyprus question legal or political? What about the problem of the recognition of Communist China? What about the Berlin problem? Are these legal or political?

The fact is that international relations do not give rise to political problems which have a legal aspect, any more than they give rise to legal problems which have a political aspect. In my view, the basic distinction between disputes that are legal and disputes that are political is the readiness of the states concerned to regard them as legal, to consider them in terms of international law. But reluctance to think about and articulate problems in legal terms is not necessarily due to lack of interest in or respect for international law. It may arise because the realities of the issue are obscured, not clarified by defining them in legal terms. Or the reluctance to litigate may be due to a belief that the law, as it is, is unjust or inadequate and must be changed. States are bound to ask themselves the question whether, in a society where enforcement of international law is not universally or uniformly accepted, each state is justified in reserving to itself the right to that freedom of action which many other states assert and maintain.

At the same time as the newer countries have been seeking to develop and change international law, the attitude of the Soviet Union and its allies towards this subject has also been changing. At one time, the very existence of international law was doubted by Soviet writers. At other times they thought of international law as being of several different types, and partly as a temporary set of rules governing relations between Communist and capitalist states.