has in no way violated its territorial sovereignty." It is also clear that there is no right of "hot pursuit" of such offenders into the territory of another state. In the case of seizures in violation of international law, there is an obligation at the request of the country affected to free the person apprehended and to return him to that country. This is shown by the 1860 case of one Lawler, a convict who had escaped from penal custody in Gibraltar. He was apprehended by a British jail official in Spanish territory, and was removed from there without his consent to British territory. According to a legal opinion given by the law officers of the Crown at that time, a plain breach of international law had occurred and the proper remedy was *restitutio in integrum*, i.e. it was the duty of the state whose officials had illegally seized the fugitive to restore as far as possible the aggrieved state to its original position. In this particular case, it was recommended that Lawler be returned into Spain to be set at liberty immediately. (It is to be noted that the state from which Lawler had escaped had another prope means by which it could have sought t recover him, e.g. extradition.) Howeve modern British practice probably differ from the Lawler case unless the state fro which the fugitive is kidnapped makes protest.

It seems inevitable that these case of unlawful seizure will continue to ari and continue to pose needless and dis proportionate friction in relations betwee members of the international community Perhaps a solution to the problem might be found if it were possible for municipa courts to adopt a universal practice o refusing jurisdiction over persons brought before them by unlawful means from other states. Support for the development o such a practice can be found in the posi tion endorsed by the Court in the Toscanino case that the expanded conception of due process in the United States now protects the accused against pre-trial illegality by denying to the government the fruits of any deliberate and unnecessary lawlessness on its part.

From Colombo to CIDA

Aid policies as a reflection of Canadian domestic concerns

By Gregory Armstrong

The most obvious point about Canadian assistance to the Third World is that it is a direct reflection of Canada's domestic political priorities. There has long been a debate between those, on the one hand, who believe that aid should (or does) come out of a philanthropic desire to help the less fortunate (or, on the same side of the argument, to repay the debt the Western world owes the Third World for the exploitation of resources) and those who believe, on the other hand, that international aid can and does serve the economic interests of the donors, as those of the recipients. But, whatever the merits of these viewpoints, and whatever the truth about the morality of the motives for Canadian international assistance, it is clear from the record of Canadian aid allocations that Canada's relations with the developing countries have changed direction and emphasis with a changing domestic balance of power.

Although Canada's commitment to the United Nations and its relations with the United States have both to some extent influenced the general direction of

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