

In many respects, Austria's modern record is unique. It is one of the few countries which experienced ten years of Soviet military and administrative hegemony over a large part of its territory and lived to see that control system peacefully dismantled. The attendant international neutralization of the Austrian state with Soviet concurrence and support also represents a rare phenomenon in the annals of contemporary diplomacy and an unusual feature in the chronicles of Soviet foreign policy. The subsequent course of Soviet-Austrian relations thus offers a rare opportunity for studying various aspects of Moscow's attitude toward certain questions of international law as they pertain to the problem of neutrality, neutralization, neutralism, and peaceful coexistence: all concepts of considerable importance, the juridical implications of which have not yet received the attention they deserve. Nor, in fact, has Soviet doctrine and practice on these issues been analyzed carefully enough, despite the USSR's active role as proponent of some of these recent additions to the repertoire of international law. In the Austrian situation, these elements converge; Vienna's effort in the last twenty years to fill with concrete substance the ill-defined status with which it was saddled by the 1955 State Treaty and chart a clear track between conflicting pressures and demands vividly illuminates most of the problems involved. For what this invaluable study makes clear is that once a country abandons the safety of recognized and universally established legal principles and ventures into the treacherous waters ruled by "new" international law formulas whose technical content lacks consensus, it plunges into a milieu governed more by political expediency than by legal writ. Dr. Ginther starts from the proposition that a suitable precedent for a neutral or neutralized Austria would have been the Swiss example which, from the first, rested on a rather specific code of conduct and, with the years, acquired a solid identity. Had that solution been chosen, Austria would have ended up vested with a distinctive personality to which attached a commonly accepted set of rights and duties. Just like the
Swiss prototype, Austria would have been obligated to behave in a certain way in the event of armed hostilities and, possibly in expectation of that contingency, not incur assorted commitments even in time of peace which could ultimately compromise its ability to maintain a neutral stance should war break out. Nevertheless, this would amount to a minimal agenda geared to the exigencies of an incidence of belligerency and calculated not to impose on the country any extra responsibilities for the duration of peace.

The tragedy of Austria is that this design was not followed. A succession of Austrian statesmen have publicly conceded that Austria's position differs from Switzerland's. Rather, on most points Austria represents a phenomenon sui generis and, consequently, must develop piece-meal an ensemble of applicable guidelines and standards to give shape to the role it is expected to play vis-à-vis the rest of the international community, especially in relation to the great powers which have a material stake in the preservation of the present state of affairs. On the other hand, as Dr. Ginther so well documents, the Soviet Union has pursued an activist line in seeking to foist on the Austrian authorities its own version and interpretation of how a neutral/neutralized Austria ought to act. Since the old formulas of international law are now deemed to be irrelevant in spelling out what the Austrians may or may not do, the Russians have a free hand (and, indeed, a marked edge) in seeking to push a script which promises them maximum advantage while restricting to the utmost Austria's options and room for maneuver.

Gradually, then, what has happened is that, by dint of repeated protests and vigorous complaints, recurrent resort to pressure tactics and thinly veiled threats, the Kremlin has managed to impose on the Austrian political elite a conception of the country's legal status quite different from what passes for ordinary neutrality. Through reference to norms of peaceful coexistence which it alone seems to have the power to define, the Soviet regime has slowly pushed Austria into practicing a form of neutralism that is a far cry from neutrality as previously understood and endorsed. Absent a legal anchor to which it might tie its claims, Austria has been compelled to argue with the Russians over the merits of their version of what would constitute appropriate behavior on each occasion on a purely ad hoc basis, and given the physical disparity between the two states, the