

Imperial Legacy, Proletarian State, and Statelessness: Conflict and Entanglement of Russian Emigrant and Soviet Discourses of International Law, 1918 – 1939

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The project seeks to trace a dialogue, conflict and entanglement between Russian scholars, who developed the imperial intellectual tradition of international law on both sides of the Soviet state border. On the one side, there were emigrant international lawyers, who claimed to be direct descendants of Russian pre-revolutionary scholarship. After the collapse of the Russian empire and subsequent recognition of the Soviet Union, they found themselves in the position of refugees. In the capacity of legal experts, they sought to assure the international protection of the status of refugees and minorities through the international law organizations and the League of Nations. On the other side, there were the scholars with the same imperial academic background, who sought to adapt the previous intellectual heritage to the ideology and pragmatic needs of the Soviet state. Initially they professed the ideas of world revolution and “withering away” of states as well as international law. However, as the Soviet Union gradually acquired international recognition, a theory of a “transition period” acquired a dominant position in the Soviet international law scholarship. The Soviet discourse assumed the ideas of coexistence with other states and recognition of the “rules of the game” at the international stage. Juxtaposition of these discourses demonstrates two parallel, yet opposite trends: whereas the Soviet international law scholarship gradually gained “its own” state, the emigrant scholarship was losing it.

The research focuses on three case studies, which in various ways explore the interaction of the two discourses as reflected both in their common imperial heritage and in the distinction between “state-building” vs. “statelessness.” These are: 1) Battle for international recognition between the Soviet and the White governments in 1918-1922; 2) Imperial and post-imperial visions of international law in both scholarly discourses and their ambivalent approach to the developments in the political space of the former Russian empire; 3) Political and legal clash over the new practice of Soviet citizenship and the legal status of the Russian refugees abroad.