In Search of Sovereignty: Central and Eastern Europe, 1956-1989

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Abstract

International theory is replete with contested concepts, none more than state sovereignty. Although embodied in the UN Charter, it came under continuous strain during the early Cold War, culminating in the crucial year of 1956. Subsequent Soviet ideologists sought to justify the invasion of Czechoslovakia as „limited sovereignty", dubbed by US analysts the "Brezhnev Doctrine". A few Western scholars thought this ended with the „non-invasion" of Poland in 1980-1981, but Russian archives reveal that it was not annulled until spring 1989.

Keywords: sovereignty; "Brezhnev Doctrine", "non-invasion", annulment

The notion of state sovereignty was first developed by Dutch jurists in the seventeenth century. Hugo Grotius's use of the term *summum imperium* suggests that a territory and its ruler are the patrimony of the ruler, to be bartered at his will (Parkinson, 1977). But it is not until much later that this evolved into the notion that all states had the inherent right to independence of outside authority in the control of their territory and population. That required the diplomatic system to be accepted as the concern of international society as a whole, and recognised as „public international law." The Congress of Vienna's Final Act formalised this and brought it into conformity with the doctrine of the sovereign equality of states (Bull, 1977). „Equality" in this sense, which meant the like enjoyment of like rights of sovereignty, naturally presupposed the existence of statehood. Partitioned Poland could not enjoy this during the long nineteenth century.

The first international organisation in modern history, the League of Nations, attempted to restrict the exercise of state sovereignty by imposing obligations on its

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member states to recognise the international order as superior to their individual interests. Far from denying the sovereignty of members states, however, the Covenant ensured its continuation by confining the League to an advisory function on matters of security, requiring unanimity as a precondition of action and permitting withdrawal from membership (Hinsley, 1967). Germany withdrew in 1933.

Sovereignty was enshrined in the UN Charter. Chapter 1 on "Purposes and Principles" states: „The Organisation is based on the principle of the sovereign equality of all its Members", but also warns: „Nothing contained in the present Charter shall authorise the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state." It adds, somewhat paradoxically, „this principle shall not prejudice the application of enforcement measures" (with reference to Chapter VII on „Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression"). Since the permanent members of the Security Council received a veto over the Organisation, which could not act against them, five members were more sovereign than others. As the Cold War developed, the super-powers increasingly asserted authority over other states within their „own spheres".

The 'Truman Doctrine (on Greece and Turkey, 1947) stated that „it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures". This meant the Soviet threat, though initially seen as political and psychological rather than military. One of its chief architects, George Kennan, noted „the weakness of the Russian position, the slenderness of the means with which they operated and the ease with which they could be held and pushed back". Consequently, the US should focus on „out-producing the world", controlling the seas and retaining the capacity to „strike inland with the atomic bomb" (Leffler, 2010). However, the Soviet Union acquired nuclear weapons far sooner than the US had anticipated, and by the mid-fifties a thermo-nuclear stalemate was reached, uncomfortably entitled „mutually-assured destruction". In this new context, the notion of „rolling back" communism was redundant and the ability of each super-power to intervene in each other's spheres was effectively removed.

Stalinism deprived Eastern Europe of independent foreign policy. Only Yugoslavia maintained one, much to the annoyance of Stalin himself. He stated: „I shall shake my little finger and Tito will fall". But as Khrushchev added later, „no matter how much or how little Stalin shook, not only his little finger but everything else he could shake, Tito did not fall. The reason was that Tito had behind him a state and a people who

had gone through a severe school of fighting for liberty and independence, a people which gave support to its leaders" (*Anti-Stalin Campaign*, 1956). Under Khrushchev, Soviet-Yugoslav relations improved dramatically, while Belgrade also took part in the Bandung Conference of Non-aligned Nations, whose inaugural Declaration (1955) singled out sovereignty as a key goal.

The climax of anti-Stalinism came in the Soviet government Declaration of 30 October 1956. This solemnly stated that „the countries of the great commonwealth of nations can build their mutual relations only on the basis of complete equality, respect for territorial integrity, state independence and sovereignty and non-interference in one another's internal affairs". It added with respect to Hungary that appropriate negotiations with its government and other members of the Warsaw Treaty could address the question of „the presence of Soviet troops on the territory of Hungary" (*National Communism and Popular Revolt*, 1956). On 2 November Imre Nagy handed Ambassador Andropov a protest about continued Soviet troop movements across the Hungarian border, but also reiterated his wish for a „friendly relationship with the USSR ʻbased on principles of complete equality, sovereignty, and non-interference in one another's internal affairs'" (Békés, 2002). Earlier these ideas had some resonance in Moscow, where on October 23, at the meeting of the CPSU Presidium, Mikoyan, the leader who knew Hungary best, advocated a domestic solution under which „The Hungarians will restore order on their own". This has been dubbed the Mikoyan Doctrine (Békés, 2014). But no other leaders concurred, therefore the decision to use Soviet forces to consolidate the situation was made.

Khrushchev's vacillations are chronicled by his son Sergei (Khrushchev, 2000). Apart from loosing Hungary, he agonised about student demonstrations in Romania, which led Bucharest to close its borders with Hungary, Czechoslovakia and East Germany. The Soviet bloc threatened to crumble. „What is there left for us to do?", he asked Tito a few days later. If events were left to take their course, „We would have capitalists on the frontier of the Soviet Union" (Micunovic, 1980). Nonetheless, some form of accommodation with allies was essential. On 3 November 1956, the Polish authorities began to formulate a re-appraisal of the Warsaw Pact and the pre-existing bi-lateral treaties with the USSR on the grounds that they „do not correspond to the policy of independence and sovereignty of our country" (Mastny, 1998). This eventually materialised at a Moscow conference of communist parties on the fortieth anniversary of the Russian Revolution (November 1957). The statement signed by twelve leading parties

reiterated the earlier declaration that „Socialist countries base their relations on principles of complete equality, respect for territorial integrity, state independence and sovereignty and non-interference in one another's affairs", but sharply curtailed this by adding „Fraternal mutual aid is part and parcel of these relations" (Békés, 2002).

From the early Sixties, junior partners in the Warsaw Pact began to articulate more particular agendas. East Germany addressed West Germany and the Wall; Albania switched sides in the Sino-Soviet split and left the Warsaw Pact altogether in autumn 1968; Romania distanced itself from the Pact and allowed no Soviet troops on its soil. Poland continued to press for a nuclear-free zone and a follow-up to the Rapacki Plan of 1957, proposing a pan-European Security Conference. This differentiation of security interests, exacerbated by the Berlin crises and an increasingly open Chinese challenge, meant that the hitherto unchallenged Soviet military domination became beset by political demands from hitherto junior members (Crump, L., 2015). Much the most significant in this respect was the Prague Spring.

Dubček's first meeting with Gomułka in Ostrava (7 February 1968), was disappointing. The Polish leader, now sixty-three, „had failed to meet the hopes of his early supporters. At the same time, I did not realise how adamantly he opposed reform; I only discovered this later" (Dubček, 1993). In their six-hour conversation, Gomułka stressed geopolitics. „The international communist movement finds itself in a difficult situation. We may say the decisive role in this movement is that of the Soviet Union and the other countries of the Warsaw Pact". He declared that Poles advocating „full sovereignty" were neglecting the role of the Soviet Union whose military power was the essential protector of Poland's national interest and the only guarantor of its western boundaries.

He told the Soviet Ambassador to Warsaw (16 April) : „The process whereby socialist Czechoslovakia will be transformed into a bourgeois republic has already begun". Liquidation of democratic centralism was granting leeway for bourgeois expression, as was the formation of non-communist trade unions. Such „counter-revolutionary plans" being concocted in Prague were „having an increasingly negative effect on Poland" (Navratil, 1998). He called for immediate intervention.

When the Warsaw Pact chief, Marshal Yakubovsky, visited Poland three days later Gomułka claimed „counter-revolutionary forces are trying to change the status of Czechoslovakia in the direction of bourgeois democracy". He cited the new constitution and electoral regulations, the demand for an extraordinary Party Congress, the

„destabilising" political ambitions of other parties using the slogan of „legal opposition", and moves amongst communists to reactivate a social-democratic party. All this had implications abroad: „Our interests are without doubt linked to the situation in Czechoslovakia. Disorganisation of their army practically opens the frontier with the German Federal Republic." Even minor disturbances in the German Democratic Republic could have untold consequences. It was „essential to preserve the Warsaw Pact through the Russian army in Czechoslovakia" (Pajórek, 1998).

Ludwig Vaculik's famous „Two Thousand Words" Manifesto (27 June, 1968) noted „great alarm recently over the possibility that foreign forces will intervene in our development. Whatever superior forces may face us, all we can do is stick to our own positions, behave decently, and initiate nothing ourselves. We can show our government that we will stand by it, with weapons if need be, if it will do what we give it a mandate to do. And we can assure our allies that we will observe our treaties of alliance, friendship, and trade" (Navratil, 2006).

Although a „Brezhnev Doctrine" was not acknowledged by Soviet leaders until almost the end of their rule, it provides a convenient short-hand for considering the role of force and other aspects of their troubled relationship with Eastern Europe. The phrase was coined by American analysts after the Warsaw Pact invasion to end the „Prague Spring." Its essence is a notion of „limited sovereignty" whereby the „international interests of socialism" (all undefined) take precedence over the sovereign claims of any single socialist state. Yet, as the outstanding historian of the Prague Spring notes, the doctrine „simply put in formal legal terms a proposition frequently stated. It reiterated the right of intervention so often asserted and implemented in earlier decades of Soviet rule" (Skilling, 1976).

A seminal source was held to be a *Pravda* article by S. Kovalev entitled „Sovereignty and the International Obligations of Socialist Countries" (26 September 1968). In a passage that could have come just as appropriately from Zhdanov's „Two Camps" speech, founding Cominform in 1947, Kovalev stressed „the general context of class struggle ... between the two antithetical social systems – capitalism and socialism". Czechoslovakia's talk of „self-determination" was a cover for neutrality and separation which would result in NATO troops on Soviet borders and the dismemberment of the „socialist commonwealth". Gomułka was quoted with approval for his metaphor: „If the enemy plants dynamite under our house, beneath the socialist commonwealth, our

patriotic, nationalist, and internationalist duty is to prevent this by using all necessary means".

„Limited sovereignty" was endorsed by Brezhnev at the opening of the Fifth Congress of the PZPR (Polish United Workers' Party, *Polska Zjednoczona Partia Robotnicza*) in November 1968. He noted that the Polish Party had always understood that socialist countries could find their own path to socialism according to the specifics of their national conditions. However, „when there is a threat to socialism in one country, threatening the security of the whole socialist commonwealth, this is no longer the problem of the country alone, but the responsibility of the socialist countries as a whole. Discharging their internationalist duty towards the fraternal peoples of Czechoslovakia, and defending their own socialist gains, the USSR and the other socialist states had to act decisively and they did act against the anti-socialist forces in Czechoslovakia". Such intervention was not only a right but a sacred duty according to this (Brezhnev, 1969). Soviet theorists began to distinguish between „bourgeois" and „class-based" versions of sovereignty. Hence intervention against „counter-revolutionary forces" seeking to deprive the country of sovereignty had actually bolstered Czechoslovak „sovereignty as a socialist state" (Tismaneanu, 2011).

As Loveman notes, „Like the American 'No Transfer Principle' and the Monroe Doctrine, the Brezhnev Doctrine was based on an elastic notion of the sovereign right of 'self-defence.'" Soviet justifications of the Doctrine „echoed the contorted rhetorical efforts by American policy-makers between 1898 and 1933 to reconcile the sovereignty of Latin American nations with recurrent US interventionism". He wonders teasingly whether Brezhnev had a copy of Theodore Roosevelt's „Corollary to the Monroe Doctrine", simply altering one word: „Chronic wrongdoing, or an impotence which results in a general loosening of the ties of civilized (socialist) society, required intervention by some civilised (socialist) nation" (Loveman, 2010).

Amidst the next Warsaw Pact crisis, the Polish Party (PZPR) held an extraordinary Congress (14-19 July 1981). This failed to endorse either a belligerent or a benevolent stance towards Solidarity and the opposition. Its „centrist" posture was variously described as moderate, pragmatic or realist. Solidarity opened its First National Congress in Gdańsk (5 September 1981). This had received a prior message from the Moscow „Founding Committee of Free Trade Unions in the USSR", whose leaders had been denied visas to attend, declaring: „Your struggle on behalf of ordinary people in Poland is our struggle". They added that everything Solidarity was saying about official

„lies and double-dealing with regard to realising workers' basic needs applies to the Soviet regime. Poland will never be free until Russia is free" (Kaliski,2013).

The Congress responded with its „Message to Working People in Eastern Europe" (Holzer, 1983) which conveyed greetings and support to the workers of Albania, Bulgaria, Czechoslovakia, the GDR, Romania, Hungary and all the nations of the USSR. „Contrary to the lies spread about us in your countries", Solidarity was an „authentic, ten-million strong representative of working people" which would support all those who embarked on the long and difficult road to a free and independent labour movement. „We believe it will not be long before your representatives and ours are able to meet to exchange experiences as trade unionists" (*Tygodnik Solidarność*, 1981). This was passed by acclamation and a standing ovation, without discussion or interventions from the platform. Those of us observing from the gallery also leapt to our feet.

Soviet leaders suspected – with good reason – that Solidarity would have destabilising repercussions in other countries of the Warsaw Pact. The „Message to the East" gave credence to these expectations. Brezhnev denounced it at the next Politburo (10 September) as a „dangerous and provocative document". The Central Committee's Propaganda Department would draft expressions of outrage to be signed by major Soviet enterprises. A Politburo newcomer, Gorbachev, added: „I consider Leonid Ilyich [Brezhnev] was completely right to propose that workers' collectives in large enterprises speak out, and that the activities of 'Solidarity' should be unmasked in our press" (Kramer, 1999).

Soviet military advice was however against an invasion. Explaining this apparent shift, General Ogarkov gave four main reasons (Gribkov, 1992): *(1)* The Polish situation is quite different from Czechoslovakia in 1968. There it concerned the upper echelons of power; in Poland it concerns the whole nation. The 'Solidarity' trade union is active in industrial enterprises, the countryside and educational establishments, and has supporters in all of them. The Church and the majority of intellectuals support the demands of 'Solidarity'. It has its own information network, including press and radio. It is fully supported by the West, materially, financially and morally. *(2)* The Polish armed forces are patriotic. They will not fire on their own nation. In the event of an invasion, 'Solidarity' leaders will call for a struggle against invading forces. This could lead to civil war. *(3)* The Polish government should sit down to talks with the 'Solidarity' leaders and resolve all questions in the national interest. (4) There are healthy forces in Poland. The army, Ministry of Interior and state security still function in the interests of the state.

Defence Minister Ustinov agreed: an invasion of Poland „would lose us authority world-wide and many friends. The West would not look kindly on such action" (Gribkov, 1992).

Some Western analysts argue that the „non-invasion" of Poland – rather than the „self-invasion" of the „state of war" – marked the end of the „Brezhnev Doctrine." Matthew J. Ouimet states that „Quietly, almost imperceptibly, the Brezhnev Doctrine was slipping into history". He dates this from June 1981. What remained thereafter was "an empty shell reliant on surviving fears to maintain stability in bloc affairs." He quotes his interview with Gribkov in support of such a view. „1989? No it died earlier. It died in 1980-81. The fact that we didn't send troops into Poland shows that the Brezhnev Doctrine – that is, resolving problems by force – was dead" (Ouimet, 2003). Yet Gribkov's own account does not disguise preparations for an invasion. „Did there exist a real plan to send Soviet troops into Poland? Yes, there was such a plan. More than that, reconnaissance of entry routes and places to concentrate forces was done with the active participation of Polish representatives" (Gribkov,1992).

Wilfried Loth considers that Soviet leaders had developed a growing sense of proportion after „12 years of Western détente". This had become „so important that the Soviet leadership did not wish to undermine it unnecessarily by military intervention in Poland". Hence by 1980, in his view, the Brezhnev Doctrine had become „an obsolete mechanism for the Soviet Union to exert its power and influence in Eastern Europe" (Loth, 2001). However, super-power détente had already collapsed by the mid-seventies. Arms reduction talks were on hold and SALT 2 remained un-ratified by the US Senate. The first Reagan administration's more strident denunciation of the „empire of evil" and the „Soviet threat" also limits this interpretation.

We cannot know for sure that Moscow would have intervened militarily had „the state of war" not been enacted, or had failed, but to assert that they would not have done so seems at best unproven. Loth's wider arguments for „Soviet restraint" suggest that Moscow had learned the limits of the use of force from Czechoslovakia and most recently Afghanistan. Andropov had visited Kabul and realised that Soviet forces would have to stay there indefinitely. Ustinov had concurred: „I think about a year will be needed, maybe even eighteen months until the situation in Afghanistan is stabilised and before we can even contemplate a withdrawal of forces" (Loth, 2002).

Vojtech Mastny agrees that the Kremlin had become more aware of constraints on military capacity. „Gone was the superficial Brezhnevian belief in the country's

irresistible global ascendancy: his more sombre colleagues and later successors knew better, and acted accordingly". Mastny sees the „non-invasion" of December 1980 as a deferment: intervention was „not called off but conditionally postponed". Unlike during previous crises, there was the option of a Polish leadership „forcibly suppressing the anti-communist movement" on their own. The Polish crisis thus reveals how „Soviet capacity to hold the empire together by the old crude methods progressively lapsed". Even so, replacement of Party by military rule in Poland did not make the Kremlin comfortable. „Having seen the limitations of the military power they had so prodigiously accumulated, they were losing confidence in it" (Mastny, 1999). These are prescient accounts of the eventual withdrawal from Eastern Europe almost a decade later.

In early 1989, a senior foreign policy advisor, V. Zagladin sent Gorbachev a secret memo on „a delicate and complicated question that could acquire great significance for us". This was the need to review Soviet obligations „regarding the provision of military assistance to foreign states in extreme circumstances". He noted that NATO and the Warsaw Pact both had precise obligations for military assistance to other countries, and that these were supplemented by numerous bilateral arrangements „for the provision of such assistance in extreme circumstances". But such obligations had mostly been undertaken during the Cold War and reflected a „confrontational, force-based approach to the resolution of contended international issues". They created a damaging „prestige" factor „as a result of which both the USSR and USA frequently were inclined in the past to think not so much about the resolution of emerging conflicts as about fulfilling their military-political obligations". This „automatic mechanism" often pushed the countries into confrontation, sharply reducing the scope for resolving their problems by diplomatic means.

His remedies were radical. Zagladin advocated a thorough review of all requirements to provide military assistance. Following this, confidential discussions should be held with the Americans „to prod the USA into displaying greater caution in taking on and fulfilling its own corresponding obligations". His closing sentences are equally remarkable: „We need to remember that this issue is closely connected with others that are gaining even greater current significance, including weapons exports, naval force activities and the creation of zones of peace and security in various regions. In future, obligations regarding military assistance will, as a rule, evidently have to receive the approval of the (Soviet) Supreme Soviet. These are problems to ponder. But the

experience and lessons of Afghanistan seem to show, at least to me, that they deserve attention" (GARF, Moscow).

In response, Gorbachev authorised Zagladin to conduct a critical review of the Soviet Union's „current obligations to provide military assistance to foreign countries, including under extreme circumstances". The ensuing inquiry, by Foreign and Defence Ministers Shevardnadze and Yazov, and the Chairman of the State Foreign Economic Commission Kamentsev, sent to Gorbachev on 25 March, repudiated previous Soviet interpretations of Moscow's obligations under the Warsaw Pact and in bi-lateral treaties with East Europe.

They began with a discussion of „extreme circumstances that might trigger military assistance" to a Warsaw Pact country. They related this exclusively to foreign threats, and also noted that individual or collective self-defence against an external threat was already provided for in the UN Charter (Chapter Seven, Article 51). Two bi-lateral treaties, those with Czechoslovakia and the GDR, did provide for military action „in defence of the peoples' socialist gains." This had been widely understood in the West (and by previous Soviet leaders) as enshrining the right to military intervention. But they insisted that such clauses were very general and definitively did not stipulate that military assistance *must* be provided. Moreover „internal situations" in allied countries „do not require us to take any sorts of measures in connection with our treaty obligations". The troika did not agree with Zagladin's suggestion of discussing these changes „in strict confidence" with the Americans. This would leak to the US press, and produce a storm, as had happened after the Reagan-Gorbachev discussion in Reykjavík in 1986. This would become known by the East European allies, who would conclude that the super-powers were continuing a condominium at their expense: „The political effect would certainly be very negative". Nonetheless, a positive Soviet-American dialogue should continue, with the aims of reducing confrontation and seeking „constructive approaches to regulate existing or potential problems in various parts of the world" (GARF, Moscow).

Dashichev is specific about the Doctrine's demise. On 26-27 October 1989, when the revolutionary processes in East and Central Europe were in full swing, the Council of Foreign Ministers of the Warsaw Pact confirmed the right „of all peoples to self-determination and free choice of its social, political and economic development without interference from outside". This was the death blow to the Brezhnev Doctrine. Dashichev considered „the use of military force in the GDR could have meant the end of *perestroika*, a return of neo-Stalinism, and the fall of Gorbachev. It is to Gorbachev and

Shevardnadze's credit that they were well aware of the worst consequences of using force on German soil and chose to avoid it" (Dashichev, 1994)

When Gorbachev met Chancellor Kohl (28 October), Chernyaev felt they were entering a new world. He made no claim for the originality of Gorbachev's „new thinking" and saw it simply as common sense. But its provenance was remarkable. Gorbachev, „who came out of Soviet Marxism-Leninism, Soviet society conditioned from top to bottom by Stalinism, began to carry out these ideas with all earnestness and sincerity when he became head of state. No wonder that the world is stunned and full of admiration. And our public still cannot appreciate that he has already transferred all of them from one state to another" (NSA ,1989).

The issue of force arose one final time. Following the massacre of peaceful protestors in Timișoara by the Romanian army and Securitate (18-20 December), the position of Ceaușescu was challenged (Eyal, 1990). He condemned Moscow for fomenting the uprising, but Washington did not concur. On the contrary, the US Ambassador, Jack Matlock, informed the Soviet Foreign Ministry that if the protesting Romanian National Salvation Front requested military assistance from Moscow, the United States would not oppose such an intervention. „Under present circumstances the military intervention of the Soviet Union in Romanian affairs might not be regarded in the context of the „Brezhnev Doctrine." In reply, the Deputy Foreign Minister Aboimov categorically ruled out such intervention, even as a theoretical possibility. He noted sardonically: „The American side may now consider that the 'Brezhnev Doctrine' is their gift to us" (Savranskaya et al., 2010).

Post-scriptum: „Sovereignty" was perhaps always but a myth: international lawyers call it a „legal fiction". Given its erosion by „globalisation," this may not change soon.

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