| Chapter 6 |

The History of International Cooperation and Integrations in East Central Europe

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ABSTRACT

This chapter is concerned with the development of international relations, international cooperation, and international law in Central Europe from the beginning of the Middle Ages up until present times. The topic encompasses the relationship between international and constitutional law. While the first centuries of the Middle Ages can be characterized as a struggle between imperial universalism (the Frankish empire and the German–Roman empire), beginning in the 12th century, it was the particularism of Central European countries like Poland and Hungary (and particularism within the German–Roman empire) that set the pace. Various particular units, however, often integrated into larger unions, united as personal or (later) real unions. In the case of Hungary and the Czech lands, the idea of Crown lands was created in order to express unity among various countries with different levels of integration. Among many unions, the Habsburg empire proved to be very successful and viable and led many unification attempts toward the Austrian–Hungarian Compromise of 1867. Dualistic statehood lasted for half a century, and after the First World War, it was replaced by a newly organized Central Europe, with new states, new borders, and a new system of international security. Versailles peace, however, resulted in new controversies and new hostile relations in the late 1930s. After Anschluß of Austria and especially the Munich Treaty (1938), the Versailles system in Central Europe was definitively gone. A new order was set after the end of the Second World War, when Central Europe became part of the Soviet bloc. This lasted until 1989, when the Soviet-controlled regimes in Central Europe ceased to exist and Central Europe started to integrate with structures of the European Union and the North Atlantic Treaty Organization.

KEYWORDS

history of Central Europe, integration, personal union, real union, dynasty policy, peace treaties, Versailles peace system, Munich Treaty.

Since the early Middle Ages, international relations were not governed on the basis of equality. The Roman empire adopted the idea of superiority accomplished through immense military achievements during the break of the millennia in particular. This resulted in the creation of a unit that could, at least in theory, grow territorially. Rome's imperial universality was then taken over by numerous other empires known in the Middle Ages and in the early modern age, although none of these units was able to retain such long-lasting supremacy over the European continent as was the case

Lysý, M. (2022) 'The History of International Cooperation and Integrations in East Central Europe', in Sáry, P. (ed.) *Lectures on East Central European Legal History.* Miskolc: Central European Academic Publishing. pp. 147–165. https://doi.org/10.54171/2022.ps.loecelh_7

with Rome. Thus, Rome became an unattainable symbol that many other empires to follow tried to imitate (*imitatio imperii*). Central Europe experienced Rome's practices and imperial policies, too, where the local Teutons' political units arose, as initiated by the empire.

The relationships between the Roman empire and its Barbarian neighbors were, at least at their beginnings, governed by the subordination principle, where the empire expected to receive help from the Teutonic tribes, often against other Teutonic tribes. In the 4th century, Romans were often forced to demand alliance with Teutons through paying tributes. In the late 4th century, the final phase of the ancient era saw the migration of peoples, in which the territory of Central Europe played an important role. The Barbarian invasions accelerated the fall of the Roman empire in the West.[1]

The power vacuum after the fall of the west Roman empire was filled by the Kingdom of the Franks. The first Slavs had appeared in Central Europe, including in the territory of Slovakia, in the 6th century. In the year 623, they created a defense union against the Turkic Avars living in the territory of contemporary Hungary. The defense union leader was Frankish merchant Samo, hence the name Samo's empire ('*regnum Samoni*') was used in Central European history. Although Samo's Slavs were emancipated from their dependence on the Avars, they became of interest to the Franks, whose attempt to subdue Samo's empire failed; however, written sources state that the Elbe Serbs were deemed as having submitted in the view of the Kingdom of the Franks, and a similar fate was to befall the Danube Slavs.[2]

A revitalized interest in Central Europe came during the reign of the Frankish king and Emperor Charlemagne (768–814). While the Roman empire systematically built its own administration in the conquered territories (provinces), the monarchs of the Kingdom of the Franks tried to develop their influence in such territories, especially through relationships with the local rulers. Danube Slavs, Avars, Moravians, Bohemians, and Elbe Slavs came into closer contact with the Kingdom of the Franks at the break of the 8th and 9th centuries. It resulted in payment of tribute or attendance of their representatives at the assemblies of the Kingdom of the Franks. A typical example is the assembly in Frankfurt in the year 822, which was attended by representatives of the Obodrites, Serbs, Velets, Bohemians, Moravians, Praedecents, and Avars.[3]

Bohemians, Moravians, and several tribes of Elbe Slavs entered into a relationship with the Kingdom of the Franks assuming several obligations. One of these obligations was typically the duty to pay tributes concluded between the tribe (e.g., Bohemians, Moravians) on one hand and the Kingdom of Franks (or part thereof) on the other. Tributes were due annually and were paid long term. Solemn oaths of fidelity were a special type of obligation that, unlike the tributes, constituted personal obligations. This was how the monarchs of the Kingdom of the Franks bound the rulers and other top representatives of Central European political units. Examples of

1 Scholl, 2017, pp. 19–39.
2 Steinhübel, 2021, pp. 41–48; Lysý, 2014, pp. 152–153.
3 With attention to Bohemian relations, Hoffmann, 1969, pp. 9–11.

figures who took such oaths of fidelity were the Moravian rulers Rastislav (864) and Svatopluk (874 and 884), along with their second degree princes, as well as Bohemian princes (Spytihněv and Vratislav in 895, Wenceslaus in the 929). The adoption of the Christian faith formed part of these relationships. Many obligations and subordination relations were reasoned by the adoption of Christianity from Bavaria, followed by the creation of relationships between the papacy or Constantinople (as was done in the case of Cyril and Method's mission) and Central European political units.[4]

The Hungarian kingdom entered into similar relations in its first century as the Moravians had done. King Peter Orseolo (1038–1041, 1044–1046) also took a solemn oath of fidelity to the king of the Roman–German empire (the successor of the eastern Frankish empire), and his successor Andrew I (1046–1060) offered to do the same. Such oaths can also be found in the case of the Polish Prince Kazimierz I the Restorer (1034–1058); these relations were of a more permanent nature in the case of the Bohemian Premysls.[5]

Compared to the Moravian Mojmirs or Bohemian Premysls, Hungary was able to resist the strong pressure from the empire. The Roman–German empire, the successor of the Eastern Kingdom of the Franks, gradually closed into itself as a result of inner crises that rendered it unable to execute an active power policy toward its neighbors. The Roman–German empire thus turned into a set of states, and their rulers had to resign to more substantial power state ambitions. Unlike Hungary, Bohemia (and Moravia) became part of the union of the Roman–German empire through their obligations.[6]

As of the 11th century, centralization trends can be observed in Central European space, leading to the creation of compound states. Several countries established a common tie with Hungary. The majority of such ties were of a temporal nature; however, some lasted longer. Thus, (1) associated or affiliated countries (Croatia, Dalmatia, Slavonia) and (2) vassal countries (e.g., Duchy of Galicia) appeared.[7]

The difference was that in associate countries, the head of the state was one in the same as the Hungarian king, while in vassal countries, a personal union existed between the Hungarian king and the local ruler. This personal union impacted both countries' relations. Hungarian kings adopted the habit from the Roman–German empire. Eventually, unions in the form of associate countries became more permanent. The first was the Croatian–Hungarian union.

In 1097, Hungarian King Coloman (Hung. Kálmán) was crowned the Croatian king after a victorious war. This gave rise to the Hungarian–Croatian union, which was originally linked solely to the person of the monarch (thus having the form of a personal union) and lasted until 1918. The countries' union had to be renewed in 1102. According to the later tradition, a treaty (*pacta conventa*) between Hungarian King

4 Razim, 2017, pp. 41–90.
5 Lysý, 2004, pp. 451–468.
6 Boshof, 1979, pp. 265–287; Žemlička, 2014, pp. 16–46.
7 For a more complex description of Hungarian countries' constitutional relations, Kadlec, 1907, pp. 2–3.

Coloman and the top Croatian nobility established a voluntary union between both countries. This interpretation is supported by the enduring union charter.[8]

The Croatian–Hungarian union was not of a personal nature during its entire existence. Although Croatia and Slavonia maintained their own institutions (assemblies, ban, later vicegerency board), they also sent representatives to the Hungarian diet. The resolutions of this common diet were binding for Croatia only after their separate approval by the Croatian assembly. Therefore, majorization (outvoting due to a minority in the number of voters) could not occur. The Croats relinquished this autonomy at the assembly in the years 1790–1791, following Joseph II's death. In 1868, the Hungarian–Croatian Compromise was established, under which the territory of Croatia–Slavonia obtained a special status within the Kingdom of Hungary.[9]

Personal union between Poland and Hungary arose twice. The first time was after the extinction of the Piast dynasty with Kazimierz III's death in 1370. With the approval of the Polish nobility, Hungarian King Louis I Anjou became the new Polish king, and this union lasted until Louis I's death in 1382. The countries were independent and linked only by the person of the monarch, who ruled independently in both countries under the law of each respective country. The second personal union arose in 1440 with the election of Vladislav III Jagiellon as the Hungarian king (he ruled as Vladislav I in Hungary). However, only a part of the country supported him. The Polish–Hungarian union only lasted for a short time, as Vladislav I died in 1444 after the battle of Varna against the Turks.[10]

From the viewpoint of Hungarian history, the unions with the Bohemians involved more perspective and were longer lasting. Technically, Bohemia was not a single state because it had been a union of two countries, namely Bohemia and Moravia, since the 10th century. The Bohemian princes' (kings, since the end of the 13th century) rule over the two countries was gradually extended to other territories like Silesia and the Austrian countries, Lusatia, Luxembourg, and Brandenburg. Thus, the union of the Czech Crown Lands arose. Even though Hungary also joined the common union with the Czech Crown Lands, a union where Hungary would become part of Czech Crown Lands or the opposite, or where Bohemia would be a part of the union of the Hungarian Crown, never occurred.[11]

The first personal link between the two countries arose after the Arpads' extinction on the Hungarian throne in 1301, when Wenceslaus III, supported by only a part of the Hungarian nobility, became the new Hungarian king (he ruled as Ladislav V in Hungary). Personal union did not occur, as Ladislav's father, Wenceslaus II, remained as ruler of Bohemia. Eventually, Wenceslaus III had to retreat from Hungary, and the members of the Anjou dynasty became the Hungarian rulers. A similar situation occurred after their extinction, as Sigismund Luxembourg, brother of Czech and

8 Kristó, 2007, pp. 138–139.
9 Macůrek, 1934, pp. 46–50.
10 Kónya, 2013, pp. 103, 128–130.
11 For the structure of the Czech Crown Lands in late Middle Ages, see, e.g., Šmahel, 1995a, pp. 189–200; Kavka, 1993a; Kavka, 1993b.

German King Wenceslaus IV, ruled in Hungary since the year 1387. Personal union came only after Wenceslaus IV's death in 1419. Sigismund was his successor, and thus, a personal union including Hungarian lands, Bohemian lands, and the Holy Roman Empire arose. Its existence did not, however, lead to closer integration among these units, as the countries retained separate constitutional institutions and institutes. Sigismund Luxembourg decided to preserve this Central European unit after his death, too. Having no legitimate successor, he decided to support the interests of his son-in-law, the Austrian Duke Albrecht Habsburg. After Sigismund's death (1437), he took over rule in Hungary and Bohemia (with much more difficulties). However, in 1439, he died unexpectedly, and the arduously created personal union in Central Europe ceased to exist along with him.[12]

This mode of creating unions continued until the conclusion of the 15th century. Czech King Vladislaus Jagiellon ascended to the Hungarian throne after Matthias Corvinus' death in 1490. The Jagiellons' weak rule posed no risk that the personal union of Bohemian and Hungarian lands could create a stronger common union. However, a personal union was created in 1490 that persevered until the year 1918. Bohemian and Hungarian kings have been one in the same persons ever since; by 1526, these were the Jagiellon dynasty rulers, and after 1526, they were the Habsburg dynasty rulers and the Habsburg-Lorraine dynasty as of the year 1780.[13]

The abovementioned personal unions (except the Croatian–Hungarian union) had one particular aspect in common: no joining of institutions occurred. The unions only had rulers (heads of states) in common, who reigned in accordance with special regulations in the particular countries while respecting these countries' different laws. Their basis consisted of dynastic relations and European dynasties' family (or nuptial) policies like those of the Luxembourgs, Jagiellons, or Habsburgs. These were of a temporal nature only.

All that was to change after the year 1526 with the creation of the Habsburg monarchy, which proved to be long-lasting and vigorous.

The aggregate of the Habsburg monarchy countries, sometimes denoted as the 'Danube monarchy' or less accurately 'Austria,' was a continuation of the original Czech–Hungarian union. It arose on the basis of dynastic agreements between the Jagiellons and the Habsburgs on mutual succession. These were completed after the unfortunate Battle of Mohacs on 29 August 1526, when Czech and Hungarian King Louis II died while fleeing. Although no one realized its consequences at that time, it resulted, after the subsequent fights for the throne in Hungary, in the creation of the Habsburg monarchy, i.e., the union of Central European countries headed by members of the Habsburg (and as of 1780, the Habsburg–Lorraine) house.[14]

12 For the Czech king's Hungarian 'adventure,' see Žemlička, 2017, pp. 350–369. Sigismund's path to the Hungarian throne is described in Dvořáková, 2003, pp. 36-46. Regarding his struggle over the Czech lands, see Šmahel, 1995b, pp. 7–64.

13 Marsina (ed.), 1986, pp. 418–425.

14 See Kann, 1975, pp. 1–56.

The Habsburg monarchy rulers proudly bore a long list of ruler titles; they were emperors, kings, grand dukes, dukes, and markgrafs. The core of the Habsburg monarchy consisted of Austrian lands, the original feudum of the Holy Roman Empire. Based on dynastic agreements, the Bohemian Crown Lands and the Hungarian Crown Lands were added to it in 1526. Moreover, the Habsburgs also bore the imperial title (of the Holy Roman Empire of the German Nation). Until the adoption of the Pragmatic Sanction in 1713 and its approval, the individual lands did not have identical succession rules, and thus, succession principles varied from one country to another.

Therefore, the Habsburg monarchy was originally only united by its monarch. This union had no common name at first, and designations like hereditary lands or other informal names were sometimes used. In the 19th century, the designation 'Austrian empire' came into use (Habsburg monarchy rulers were Austrian emperors since 1804, although this title was not officially used in Hungary), and following the year 1867, the name 'Austria–Hungary' was adopted. In addition to the monarch, other institutions joined the Habsburg Crown Lands like the Privy Council, the Office of the Imperial Court, the Economic Council, the Military Council of the Imperial Court, and the Ministry of the Police.[15]

The union of the Kingdom of Hungary with other countries of the Habsburg monarchy enhanced some rulers' absolutist trends. These were linked in particular with the rule of Leopold I (he ruled as the Hungarian king in the years 1657–1705). His predecessors also had to face the uprisings of the estates in the Kingdom of Hungary and the principality of Transylvania. In relation to those, the Vienna imperial court devised the loss of sovereignty theory (*Verwirkungstheorie*), according to which Hungary was no longer entitled to the discretion to govern its lands as a result of the uprising against its legitimate ruler. Following the Thököly uprising, the monarch supplemented *Verwirkungstheorie* with the concept of original acquisition of the country, according to which the monarch conquered Hungary from the Turks thus acquiring an ownership title to it; therefore, he was no longer bound by the old laws.[16]

When Hungarian King Charles II (he ruled as Roman German Emperor Charles IV) decided to issue the Pragmatic Sanction in 1713, the intention was to create a unifying regulation securing the indivisibility of the Habsburg monarchy lands.[17] The Pragmatic Sanction had to be approved individually in all the monarchy's constituent lands. This process occurred in the years 1720–1724. On one hand, the adoption of the Pragmatic Sanction in the various countries occurred pursuant to each country's individual legislative procedure; on the other, its adoption solidified the unity of the Habsburg compound state. Along with this, the Pragmatic Sanction became

15 Regarding the central administration in Vienna, see: Sokolovský, 1995, pp. 6–10.
16 Gábriš, 2013, p. 15.
17 The Pragmatic Sanction established a unified succession rule in all Habsburg monarchy lands, including a female line succession right.

the constitutional basis for the entire monarchy, which proved to be of a special significance in the 19th century. Although classical political government science only deemed Austria–Hungary to be a real union after the year 1867, its foundations were set in the aftermath of 1526 due to the creation of the common governmental bodies effective in all monarchy lands and also by the Pragmatic Sanction of 1713.[18]

In order to fully comprehend the essence of the union of the Habsburg lands, it is crucial to note the existence of central institutions in Vienna with decision-making powers in the area of military and foreign relations. Unlike earlier personal unions, vis-à-vis the Turkish threat, it was vital for the Habsburg monarchy to coordinate military and foreign relations within a single center.

Hungary obtained a special position within the monarchy. In Habsburgs' view, two categories of countries within the monarchy arose as a result of the Hungarian estates' uprisings and their compromising termination by the Szatmár Peace of 1711. The Bohemian (after the year 1627) and Austrian lands were linked by a stronger bond through absolutist rule, while the bonds with the Hungarian Crown Lands were looser. This difference broadened in the 19th century and led the monarchy to dualism after the year 1867.

A special integration was attempted during the reign of Joseph II (1780–1790), who did not allow himself to be coronated as the Hungarian or Bohemian king and tried to rule directly through imperial directives. This manner of rule met with deep resistance, hence this attempt to centralize the monarchy failed.

The revolutionary events of the years 1848/49 created new relations within the monarchy. Within the framework of reform attempts, the Hungarian Diet adopted a series of articles of law that became known as the April (or March) Laws. Inter alia, they created a Hungarian government and contained a special provision that the monarch exercises his executive powers through the relevant ministry. Hungarian King and Austrian Emperor Ferdinand was rather reluctant to approve these laws on 11 April 1848. In the view of Hungarian politicians, the Kingdom of Hungary became an independent state linked with other hereditary Habsburg lands through personal union only. Hungary began to issue its own money and build its own army, which was contrary to the Pragmatic Sanction in the view of Vienna.[19]

Executive power in Hungary was taken over by the very promptly established Land Committee of Homeland Protection, and when King and Emperor Ferdinand was forced to abdicate in December and was replaced by the young Franz Joseph, the Hungarian Diet did not acknowledge this change, deeming Ferdinand to be the king.

It should be noted that the Hungarian government and the Land Committee of Homeland Protection attempted to enter into relations with foreign countries in accordance with the concepts of Hungarian politicians regarding the country's independence. Although some western European countries were very sympathetic toward Hungary, the most important powers (France and Great Britain) were unwilling to

18 Real unions and the example of Austria–Hungary are analyzed in Jellinek, 1914, pp. 754–761.
19 Brauneder and Lachmayer, 1987, pp. 179–181.

acknowledge Hungary as a country outside the Austrian empire's borders. The only exception was the position of the Kingdom of Piemonte–Sardinia, although its favorable stance toward independent Hungary was only of a temporal nature.

On 7 March, 1849, Emperor Franz Joseph issued the imposed Stadion's Constitution, which considered the Habsburg monarchy lands as mere provinces. This step elicited a strong reaction from Hungary, which had declared independence. Responses from foreign states were rather reserved, and only the Republic of Venetia concluded a treaty with independent Hungary. Finally, Hungarian troops were forced to surrender, and as a result of the repeated application of the loss of sovereignty thesis (*Verwirkungstheorie*), the entire country was strongly embedded in a centralist and absolutist Habsburg monarchy.[20]

The issuance of the October Diploma (20 October 1860) was a return to a partially constitutional state of affairs, promising the restoration of constitutionality in the entire monarchy and a federation to a certain extent. This trend was supported by the new all-empire constitution called the February Patent (16 February 1861), which outlined trends to federalize the monarchy. As Hungarian politicians rejected this text and the newly elected Hungarian Diet supported the notion of an independent Hungary, the emperor dissolved the diet, and a new provisional arrangement was introduced. In 1865, a compromise began to arise between Vienna and Hungary. Negotiations were hastened as a result of military defeat in the war against Prussia in 1866, which definitively extinguished any Austrian hopes of hegemony among the German states (long-term power struggles between Prussia and Austria) as well as in Northern Italy. The defeat was the reason underlying the need to create more permanent relations between Vienna and Pest-Buda. The negotiations between Vienna and Hungarian politicians (Gyula Andrássy, József Eötvös, Menyhért Lónyay) resulted in an agreement on the basic compromise parameters. The Hungarian Diet summoned in the first half of the year adopted several important laws related to the compromise. The monarch also appointed Gyula Andrássy as prime minister, alongside a further eight ministers of the Hungarian government. Hungary finally had its cabinet for the first time after the year 1849. Hungary and Austria thus stood on the threshold of the Austro–Hungarian Compromise.[21]

From among the laws the Hungarian Diet adopted in 1867, one of the more significant was Article of Law No. XII/1867 on the relations of common interest between the Hungarian Crown Lands and other lands under the rule of His Majesty and the manner of their settlement.[22] The settlement eventually became part of the Austrian laws and was incorporated into Act No. 146/1867 r.z. on the common matters of all Austrian lands. It was part of a series of laws (141–147/1867 A.C.) collectively known as the December Constitution that arranged relations in the Austrian part of the monarchy

20 Kónya, 2013, pp. 577–580; Adamová et al., 2015, pp. 223–233.

21 Adamová et al., 2015, pp. 254–280.

22 In Hung. orig. "1867. évi XII. törvénycikk a magyar korona országai és az Ő Felsége uralkodása alatt álló többi országok között fennforgó közös érdekű viszonyokról, s ezek elintézésének módjáról."

until its final dissolution in the year 1918. Under the terms of the compromise, the Habsburg monarchy was transformed into the Austrian–Hungarian empire comprising two subjects informally denoted as Transleithania and Cisleithania (according to the border river Leitha, dividing Austria and Hungary). Although the compromise was entered into between nominally two subjects, in fact, both subjects comprised further subjects.

Concessions on both sides occurred upon the adoption of the Austro–Hungarian Compromise. Vienna accepted the April Laws as effective (although in a form modified by Article of Law No. XII/1867) and also accepted the sovereignty of Hungary and its administration. On the other hand, Hungary accepted the idea of common matters, i.e., the transfer of the administration of matters of foreign affairs and finance upon central Austro-Hungarian institutions in which Hungarian politicians enforced their respective right to participate.

The Pragmatic Sanction became the basis for the relations between Austria and Hungary, expressing unity across the empire represented by a common ruler. As a part of the compromise, Franz Joseph allowed himself to be coronated as the Hungarian king after 19 years of his rule. The coronation ceremony was held in Buda on 8 June, 1867. Thus, Franz Joseph ruled as king in Hungary and as king and emperor in the Austrian part. Therefore, Hungarian institutions were denoted by the attribute 'royal,' while Austrian and Austrian–Hungarian institutions were denoted as 'imperial and royal' (*k. und k.* in German).[23]

Apart from the imperial and royal 'Apostolic Majesty,' the common bodies of the entire monarchy were the following: (1) The Ministry of Foreign Affairs (the minister was the chairman of the Austrian–Hungarian ministerial board), the Ministry of War, and the Ministry of Finance as executive bodies; (2) delegations of parliamentary representatives of the Austrian Imperial Council and the Hungarian Lands Assembly; and (3) the Austro-Hungarian Bank (bank of issue).

The existence of these Austro-Hungarian bodies meant that Austria–Hungary had a common army, although in practice, separate military bodies existed (*Landwehr, hondvédség*) for Transleithanien and Cisleithanien. A common currency also existed (with different bank notes), as did a common customs area.

Delegations were an important part of the compromise arrangements. As Hungarian politicians consistently declined to participate in the activities of the Austrian Imperial Council and refrained from sending their representatives there, the reason for establishing delegations was that no common sessions could occur. Austrian and Hungarian delegations thus communicated through correspondence as a rule. Therefore, the nature of this form is not quite clear. As they did not pass laws, they did not become a uniform legislative body. Their role was to approve the empire's budgets and final accounts. Part of the compromise was also agreement on a method for determining the extent of contributions to finance the common matters and the setting of customs rates. Both parts of the monarchy collected customs duties individually, but

23 Brauneder and Lachmayer, 1987, pp. 181–186.

customs policy had to be resolved in conformity. These negotiations were far from simple due to the different economic structures of Transleithania and Cisleithania.[24]

The nature of the union of Transleithania and Cisleithania was really of interest. Austria–Hungary did not have a common parliament (leaving out the issue of delegations) nor did it have a common legislative body or a common system of law or constitution. Although it acted as a single unit in international relations (it had only one Ministry of Foreign Affairs and one set of embassies), from the internal perspective, relations between Transleithania and Cisleithania were established on the basis of agreements that were individually embodied into separate pieces of legislation in both parts.

This was why some saw Austria–Hungary as a real union, since it had some common bodies in addition to the common head of state. In the Hungarian environment, the notion of a personal union with the elements of the real one was more popular.

Internationally, the Austrian empire was perceived as a single unit as of the adoption of the Pragmatic Sanction at latest. Hungarian politicians' attempts to bring the Hungarian issue to the international field failed in 1848/49 and later during further international crises involving the Habsburg monarchy (1859, 1866). Austria–Hungary became a regional power after a series of defeats, respecting Prussia's dominance after the year 1866 (or unified Germany after 1871). The tense relations between Austria–Hungary and Germany were eased as a result of the outcomes of the Berlin Congress. It resolved the issue of western states' interests in the Balkan peninsula following the Russian victory in the Russian–Turkish war (1877–1878). Thanks to the Berlin congress, Austria–Hungary obtained the opportunity to annex Bosnia and Hercegovina (which happened in the year 1908). It may seem interesting from the view of internal arrangements within Austria–Hungary that Bosnia did not become part of Transleithania or Cisleithania but was governed by the common Austria–Hungarian Ministry of Finance.

As a subject of international law, Austria–Hungary's acts were performed in practice by the monarch in cooperation with the common Austro-Hungarian government, especially with its Ministry of Foreign Affairs. Therefore, Austria–Hungary was entering into international relations in a manner similar to other powers. From the view of foreign orientation, it is important to note that following the consolidation of relations with the German empire based on international treaties, it became part of the so-called Dual Alliance (1879) and Triple Alliance. These treaties were ratified in both parliaments.[25]

International obligations entered into with Germany brought Austria–Hungary into the First World War and thus indirectly contributed to its demise. National movements in both Transleithania and Cisleithania decided to use the opportunity afforded by the weakening of the monarchy to realize their own programs and create

24 One hundred years of the Austrian–Hungarian Compromise became an opportunity for such reflections as Vantuch and Holotík, 1971. See also Barany, 1975, pp. 379–409; Sarlós, 1975, pp. 499–522.
25 For example, the Berlin Congress conclusions were resolved by Article of Law No. VIII/1879 on Berlin Treaty ratification (in Hung. orig. "1879. évi VIII. törvénycikk a berlini szerződés becikkelyezéséről").

nation-states on its ruins. In October 1918, the Hungarian government renounced the union with Austria, and on November 11, Emperor Charles (1916–1918) abdicated. Austria–Hungary ceased to exist.[26]

The principal outcome of the First World War was the territorial disintegration of the Russian, German, and Austro-Hungarian empires and the creation of new states. Thus, after over a century, Poland's existence was restored, the Kingdom of Serbs, Croatians, and Slovenians was created, and a substantial territorial reconstruction of Romania occurred (at the expense of the Austro-Hungarian territory). The newly created Czechoslovak state arose as a combination of the historical Bohemian right (referring to the existence of the Bohemian Crown Lands) and the natural right of self-determination with respect to the territory of Slovakia and Carpathian Ruthenia. The Czechoslovak example was of interest due to the reference to the existence of Czechoslovak (and not the Czech and Slovak) nation. However, the fiction of a uniform Czechoslovak nation became a problem in political practice, dividing the political spectrum.[27]

Like every huge conflict on the European continent, the First World War was also supposed to be definitely terminated by peace treaties between the victorious Allied Powers and the defeated Central Powers. Conference negotiations began on 18 January 1919, in which the great powers of the Entente, notably Great Britain, France, the United States of America, Italy, and Japan, played the most significant role, both formally and factually. Unlike the powers, other Entente states participated in the negotiations only with regard to matters that directly concerned them. On the other hand, the defeated states could not take part in key negotiations and were hardly able to influence the final wording of the peace treaties. Peace treaties were eventually signed in various Paris suburbs, which gave the treaties unofficial titles.

From the internal Central European perspective, the most important treaties proved to be those with Germany (Versailles Peace Treaty), Austria (Saint Germain Peace Treaty), and Hungary (Trianon Peace Treaty); the Sevres Treaty also had an impact on the Czechoslovak border. Formally, these treaties were entered into by the Entente states on one hand and an individual defeated state on the other. The provisions of the treaty comprised the recognition of the new power and the political status quo following the war, in particular of the new states arising from what was once Austria–Hungary. They also contained reparation provisions that were, due to the length and intensity of the war conflict, sky-high, and Germany, designated as the state with the highest responsibility for the outbreak of war, was practically unable to meet them. The obligations arising from the sky-high reparations burdened mutual relations between Germany and France and were subject to further expert economic negotiations in the following decade.[28]

26 Opočenský, 1928, pp. 443–768.
27 The disintegration of Austria–Hungary is described in the comparative monography Rychlík, 2018, pp. 209–253.
28 For the Hungarian perspective, see Romsics, 2006, pp. 105–218.

The implication of these treaties in the particular cases varied. As for Czechoslovakia, the Versailles Peace Treaty signed with Germany on 28 June 1919, stipulated that the border between Germany and Czechoslovakia shall be set based on the historical border of Bohemia and Moravia (they are denoted as the Austrian empire border in the treaty text), awarding Czechoslovakia a smaller part of Prussian Silesia known as the Hlučín region. Other Czechoslovak territorial claims were not recognized. The Saint Germain Peace Treaty with Austria signed on 10 September, 1919 was of similar significance, based on which the borders with Czechoslovakia were set according to the old land border between Austria and Hungary starting from Kopčany/Köpcsény (today part of Bratislava–Petržalka) along the Morava river, following the old land border between Lower Austria and Moravia, Lower Austria and Bohemia, and Upper Austria and Bohemia. Similarly, as in the case with Germany, a deviation from historical borders appeared here in favor of Czechoslovakia. It was the territory of the Valtice and Vitoraz regions, which were attached to the Czechoslovak state. On the other hand, the Trianon Peace Treaty signed between the victorious states and Hungary as late as 4 June 1920 set the state borders in a more complex way. The reason was that no administrative borders had existed within Hungary that the victorious Entente states were willing to apply (Hungarian administrative districts did not respect any natural or ethnic borders). Therefore, the Trianon Peace Treaty set only a framework for borders between Hungary and the neighboring states. A more thorough demarcation of borders occurred directly on site.

Although the positions of Czechoslovakia, Hungary, and Austria differed considerably, in the view of international law, they were all succession states of Austria–Hungary. This was due to the incorporation of a part of the former Austro-Hungarian territory and population into the Czechoslovak state as well the taking over of a part of Austria–Hungary's pre-war state debt. The succession states also differed considerably in respect of law. While Czechoslovakia, after its creation, belonged to the victorious bloc of states, Hungary and Austria were defeated states, and it was necessary to conclude a formal peace treaty with them (the state of war was initiated by the now non-existent Austria–Hungary). Hungary and Austria were not identical to Austria–Hungary in the view of international law. It can be said that the disintegration of Austria–Hungary was not a mere breakdown of the dualist compound state but also a breakdown of its subjects, i.e., the Austrian empire and the Kingdom of Hungary.

The enormous extent of the war conflict started by Germany and Austria–Hungary's aggression in 1914 reinvigorated the idea of an international organization that should resolve future conflicts peacefully. The organization was named the League of Nations, and its rise was embedded in Paris peace treaties. Although American president Woodrow Wilson was one of the biggest supporters of the idea of a global organization, the United States eventually backed out of this organization, as well as from Europe, as such, between the wars.

It should be noted that the hopes placed into this organization did not materialize. For Central European states, the bilateral treaties and multilateral agreements made during this period were of much greater importance. Taking Czechoslovakia as an example, the highest peace guarantee was supposed to be the peace treaty with

France of 25 January 1925. Czechoslovakia's security against the threat of Hungary's revision of treaties was to be guaranteed by further treaties with Yugoslavia (1920) and Romania (1921). Thus, sets of bilateral treaties were at the core of the security framework during the interwar period.[29]

An attempt to implement a more permanent solution to remove war conflict as a legitimate form of conflict resolution in international law was also presented by the so-called Kellog–Briand Pact of 27 August 1928. The pact was signed in Paris by 15 signatories including Czechoslovakia. Many other states acceded to it at a later point. The treaty declared war to be an illegal instrument for resolving conflicts and only allowed for the waging of wars in defense. However, it did not contain any sanction provisions; therefore, it proved to be ineffective in practice. However, it was an important step in the further development of international law.

After Hitler's rise to power in January 1933, Germany gradually renounced its obligations under the Versailles Peace Treaty, which was not only the Nazis but also a great part of the German public despised. The immediate threat to Czechoslovakia came mainly after Anschluβ, the annexation of Austria to Germany in March 1938, although peace treaties explicitly banned such unification of Austria and Germany after the First World War. Thus, the border between Czechoslovakia and Germany was, in practice, extended, in addition to the border line of northern Moravia and Bohemia extending south as far as Bratislava.

After annexing Austria to Germany, Adolf Hitler was able to concentrate on a new goal, Czechoslovakia, which he viewed as an 'artificial' unit. Hitler's aim was to erase Czechoslovakia from the map of Europe. The attacks against numerous members of the German minority in Czechoslovakia, as repeatedly proclaimed in Nazi propaganda, served as an excuse for actions taken against Czechoslovakia. In cooperation with political representatives of the German minority in Czechoslovakia, Hitler demanded the annexation of the border regions of Czechoslovakia (Sudetes) to Germany, and the issue posed a real war threat between the two states. At first, Czechoslovakia relied on its treaties with its allies, but neither France nor Great Britain, with which France coordinated its policy toward Central Europe, had any intention to help Czechoslovakia as a result of the appeasement policy. Czechoslovakia thus found itself abandoned in its attempt to retain the integrity and sovereignty of its state territory. Great Britain and France forced Czechoslovakia through their diplomatic notes in September 1938 to agree to cede the territories in question.[30]

On the initiative of British Prime Minister Neville Chamberlain, who attempted to satisfy German territorial demands through negotiations in the spirit of appeasement, a meeting of four powers occurred: Germany (represented by Chancellor and Reich leader Adolf Hitler), Italy (Prime Minister Benito Mussolini), Great Britain (Prime Minister Neville Chamberlain), and France (Prime Minister Édouard Daladier). It was held in the Munich Nazi Party headquarters (NSDAP) on the night of

29 Adamová et al., 2015, pp. 360–362.
30 Rychlík, 1997, pp. 141–143.

29–30 September 1938. The outcome of the negotiations was an agreement between Germany, Great Britain, France, and Italy, which entered history under the name the Munich Agreement or Munich Dictate. The agreement contained provisions, under which: (1) Czechoslovakia was to cede to Germany the border territories with over 50 per cent of the German population; (2) Czechoslovakia was to vacate this territory by October 1 without causing any damages to the installations there; (3) Czechoslovakia was to release all Sudeten German citizens from detention or imprisonment for political crimes; (4) an addendum to the agreement imposed on Czechoslovakia the obligation to agree to the demands of Hungary and Poland, too.

The Czechoslovak Republic, which did not participate in the negotiations and whose representative did not sign the agreement, accepted the Munich Agreement on 20 September 1938 via a governmental decree.

Both the governmental decree upon which the Munich Agreement relied as well as the Munich Agreement itself are deemed to be legally invalid. The governmental decree was contrary to the Czechoslovak Constitutional Charter and therefore unconstitutional as the government alone could not agree to cessation of the state territory. The consent of a three-fifths majority of the National Assembly chamber was required to change state borders. Moreover, the government accepted Great Britain's and France's proposals only under the condition that Czechoslovakia would be provided guarantees in case of further German demands; however, the powers did not meet this condition. For these reasons, the Munich Agreement was invalid from the perspective of the domestic law in force in Czechoslovakia.

From the perspective of international law, the Munich Agreement was contrary to the League of Nations Pact, the Locarno Agreement of 1925 (the duty of peaceful dispute resolution), and the Kellogg–Briand Pact of 1928 (prohibition on resolving disputes through the use of armed force). On the contrary, consent to cede territories to Germany was obtained only under the threat of force and such legal act was invalid under the international law in force at that time. The reasons for the invalidity of the Munich Agreement may be further supplemented by the following: (1) It was a *res inter alios acta*; the agreement entered into by four international law subjects was made against the interests of another state that did not participate in negotiations nor was a signatory of the agreement; (2) there was an immediate threat of violence from Germany, as Nazi Germany threatened to declare war unless its territorial demands were met; (3) it was fraud on the part of Germany, as Nazi Germany did not intend to be satisfied with the ceded territories only; rather, its genuine interest was the destruction of Czechoslovakia. For this reason, Germany's manifestation of will (that it would be satisfied by obtaining the border territories of Czechoslovakia) was contrary to its real will (to destroy Czechoslovakia as a state). Soon after the Munich Agreement, Adolf Hitler decided to dissolve what remained of Czechoslovakia.[31]

Based on the addendum to the Munich Agreement, Czechoslovakia was forced to hold negotiations regarding satisfying Poland's and Hungary's demands. In the

31 There are many analyses on the validity of the Munich Treaty. See, e.g., Ort, 1967, pp. 43–51.

case of Poland, further territories were ceded in Spiš, Orava, Kysuce, and in the area of Tešín. As the Czechoslovak government agreed to these territorial demands from Poland, the matter came – at least temporarily – to a conclusion. Hungary's attitude was more complicated, as it preferred arbitration by powers more than it desired to reach a mutual agreement with the Czechoslovak government. Therefore, following the failure of mutual negotiations, an arbitration undertaken by the German and Italian ministers of foreign affairs (Joachim von Ribbentrop and Gian Galeazzo Ciano) took place on 2 November, 1938 and became known as the First Vienna Arbitration. The Hungarian demands related to the territories of Southern Slovakia and Southern Carpathian Ruthenia were accepted, with the exception of Bratislava.

The new Czechoslovak borders did not last long, as under the impact of both domestic and foreign pressure, Czechoslovakia disintegrated on 14–15 March 1939. The Slovak state was declared in what remained of Slovakia (March 14), and the so-called Protectorate of Bohemia and Moravia was declared in the remaining territories on 16 March 1939, after the Wehrmacht troops began their occupation.[32]

The stability of the new political situation and changed borders was dependent on the military outcomes of the Second World War. For example, since the Slovak state earned rather broad recognition from foreign states, it should be noted that the most favorable period was the first year of its existence. Apart from the neighboring states (Poland, Hungary, Germany), the Slovak state was also recognized by the Soviet Union, Italy, the Vatican, and de facto by France and Great Britain. However, the states' attitudes changed, for example, as a result of Slovakia joining the war against Poland (1 September 1939). This later resulted in the post-war arrangements in Central Europe disregarding the changes produced by the foreign policy of the Third Reich (Munich Agreement, Vienna Arbitration 1 and 2); however, those that resulted from the will of the Soviet Union as a victorious belligerent (Poland's new borders, annexation of Carpathian Ruthenia to the Union of Soviet Socialist Republics [USSR]) were retained.[33]

One of the key principles of the post-war arrangements was the thesis of the Czechoslovak state's legal continuity. During the Second World War, it existed only in the form of a government-in-exile based in London (represented by President Edvard Beneš and the government). The Munich Agreement was voided during the war by its signatories (France, Great Britain, and Italy), followed by the Federal Republic of Germany in 1973.

The relational arrangements in post-war Europe were to be ensured by a global organization, the role of which would be to prevent conflicts. The United Nations (UN) was established with this goal on 24 October 1935. However, the key status within the UN was granted to the Security Council members with veto power. These were China,

32 Adamová et al., 2015, pp. 425–449.

33 Let us recall that the Slovak state was the Third Reich's first war ally during the attack against Poland in September 1939. The question of *restauratio statu quo ante* after the world war was, however, under different perspectives in the East and West. See Rychlík, 1997, pp. 212–226.

the Soviet Union, the United Kingdom of Great Britain and Northern Ireland, France, and the United States of America.

Following the end of the Second World War, Central European states immediately became part of the Soviet sphere of influence, even though communist regimes were not established at the same time in these countries. These states' different statuses were attributed to their classification as victorious or defeated. In the light of international law, Czechoslovakia was deemed to be a victorious state in respect of the war, disregarding the fact that the Slovak state was actually Adolf Hitler's first direct ally in his march against Poland. Post-war relations in Europe were to be resolved repeatedly through a grand peace conference. As was the case almost 30 years prior, it was held in Paris, with the negotiations launched on 29 July 1946. Unlike the first one, no peace treaty was made with Germany, only with its key allies (Bulgaria, Finland, Hungary, Romania, and Italy, which had the status of defeated states). Regarding the USSR's territorial requirements, a considerable shift of borders occurred in its favor, not only at the expense of the defeated states (Germany, Finland, Romania), but also at the expense of the victorious states Poland and Czechoslovakia.[34]

A special issue of mutual relations determined the status of German and Hungarian minorities in Eastern European countries. As for the German minority members, based on the final Potsdam Conference protocol,[35] the decision was taken to displace them to the German occupation zones. The displacing of Germans involved Poland in particular within its new post-war borders, but also Czechoslovakia and Hungary. A similar fate was prepared for the Hungarian minority members in Czechoslovakia; however, unlike the German minority, the powers in Potsdam did not agree to displace them. Therefore, Czechoslovakia initiated separate negotiations with Hungary, resulting in a population exchange agreement on 27 February 1946.[36] It provided the basis for the mutual exchange of Hungarian inhabitants of Slovak nationality for Czechoslovak inhabitants of Hungarian nationality. In the course of its execution, around 70 000 Slovaks from Hungary and up to 90 000 Hungarians from Slovakia were voluntarily or forcefully displaced. The remaining Hungarians were eventually granted Czechoslovak citizenship anew as late as in 1948.[37]

34 Rychlík, 2020, pp. 43–45.

35 It was held from July 17 to August 2, 1945 and attended by the 'Grand Three', Josif Visarionovič Stalin (USSR), Harry Truman (USA), and Winston Churchill (United Kingdom), who was replaced in the course of the conference by election winner Clement Atlee.

36 It was published under no. 145/1946 Sb. Dohoda medzi Československom an Maďarskom o výmene obyvateľstva (Agreement between Czechoslovakia and Hungary on population exchange).

37 The acts against the German and Hungarian minority members were facilitated by the fact that in the period of the Second World War, these population groups adopted citizenship of the German Reich and the Kingdom of Hungary. Therefore, they were viewed as foreign nationals by the Czechoslovak state. It should be stated that the persons of Slovak or Czech nationality living in the territories of Germany and Hungary who also adopted these foreign citizenships were not viewed in the same way. For a basic overview, see Brandes, Ivančíková and Pešek, 1999. The Hungarian perspective is analyzed, for example, in Vadkerty, 2002, pp. 251–367.

Although the relations among some neighboring states of the newly established Eastern Bloc were rather tense, it was in the USSR's interest as the new hegemon to improve them. The mutual relationships were, at first, governed by various bilateral agreements of mutual friendship and cooperation. However, when a military organization, the North Atlantic Treaty Organization (NATO) was established by the Washington Treaty in 1949 and the Federal Republic of Germany was later allowed to join it, the Soviet bloc responded by creating a military organization of its own via the Warsaw Pact of 1955.[38] It presented itself as a defense pact for socialist countries with common command and control (headquartered in Moscow).

In the course of the existence of the communist bloc in Central Europe, several attempts to manifest disagreements with the regime occurred. The resistance manifestations were violently suppressed in Polish Poznań in 1956, especially the revolution in Budapest in the same year, which led to Warsaw Treaty troops' direct occupation of the country. In 1968, Warsaw Treaty military troops intervened in internal development in Czechoslovakia: the so-called Prague spring. This was the first (and also the last) military action this military bloc undertook. Soviet troops left Czechoslovakia as late as after 1989.[39]

New impulses for the integration of Central Europe came after the fall of the communist regimes in 1989. These processes resulted in the accession of the Central European countries to the Council of Europe structures (from 1990), the North Atlantic Alliance (from 1999), and the EU (after 2004). The degree of mutual links between these states and the experience obtained so far demonstrate the permanent presence of both centripetal and centrifugal forces. It remains to be seen to what extent the integration of European states will prove to be optimal in the European compound state.

38 The foundation members were Albania, Bulgaria, Hungary, German Democratic Republic, Poland, Romania, Soviet Union, and Czechoslovakia. Yugoslavia, as an eastern bloc country, was missing here due to the conflict that was ongoing at that time.

39 Military intervention and decision cross points are described in Valenta, 1991. See also Štefanský, 2009, pp. 265–276.

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