The History of International Cooperation and Integrations in East Central Europe

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ABSTRACT

The chapter deals with the development of international relations, international cooperation and international law in central Europe since the beginning of Middle Ages until present times. The topic exceeds as far as to the relation between international and constitutional law. While we could characterize the first centuries of the Middle Ages as a struggle between imperial universalism (Frankish empire, German-Roman empire), since 12th century it was the particularism of central European countries like Poland and Hungary (and the particularism within German-Roman empire) that set pace. Various particular units, however, often integrated into larger unions, united as personal or (later) real unions. In case of Hungary and Czech lands, the idea of Crown lands was created in order to express the unity of various countries with a different level of integration. Among many unions it was the case of Habsburg empire that proved itself as very successful and viable and lead across many unifying attempts into the Austrian-Hungarian compromise of 1867. Dualistic statehood lasted half a century and after the World War I it was replaced by new organized central Europe, with new states, new borders and new system of international security. The character of Versailles Peace, however, resulted in new controversies and new hostile relations during 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 World War II, when central Europe had become a 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 the structures of the European Union and NATO.

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 had not been governed on the basis of equality. The Roman Empire adopted the idea of superiority that had been accomplished by immense military achievements during the break of the Millennia in particular. This resulted in creation of the unit which at least in theory could be growing territorially. Imperial universality of Rome 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 a long-lasting supremacy over the European continent as it was in case of Rome. Therefore, 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 political units of local Teutons arose as initiated by the Empire.

The relationships between the Roman Empire and its barbarian neighbours were at least at their beginnings governed by the subordination principle where help of the Teutonic tribes to the Empire was expected, 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 – migration of peoples began 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 West Roman Empire was filled by the Kingdom of the Franks. The first Slavs had come to appear in central Europe including the territory of Slovakia in the 6th century. In the year 623, they created a defence union against Turkic Avarians living in the territory of contemporary Hungary. The defence union leader was the Frankish merchant Samo, therefore the name Samo´s Empire ('*regnum Samoni*') was used in the Central European history. Although Samo´s Slavs emancipated from their dependence on Avarians, they became of interest for the Franks. Their attempt to subdue Samo´s Empire failed, but written sources state that Elbe Serbs were deemed as submitted in the view of the Kingdom of the Franks and a similar fate was to become true for the Danube Slavs.[2]

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

Bohemians, Moravians and several tribes of Elbe Slavs got into the relationship with the Kingdom of 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 its part) on the other. Tributes were annually due and were paid long term. A special type of obligation were solemn oaths of fidelity that were, unlike the tributes, personal obligations. This was how the monarchs of the Kingdom of the Franks were binding the rulers and other top

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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.

representatives of central European political units. Examples of such oaths of fidelity were Moravian rulers Rastislav (864) and Svatopluk (874 and 884) along with their second-degree princes, but also Bohemian princes (Spytihněv and Vratislav? in 895, Wenceslaus in the year 929). Part of these relationships used to be an adoption of Christian faith. Many obligations and subordination relations were reasoned by adoption of Christianity from Bavaria, followed by creating relationships with papacy or Constantinople (as it was so in case of Cyril-Method's mission) by central European political units.[4]

The Empire could also pay the tribute. A successful example were the Hungarians who managed to obligate the Roman-German Empire with tribute for several years until they were defeated in 933 at Riade and in 955 by the Lech River.[5] Although international relations of the time did not have the theoretical basis of contemporary international law, they have some elements in common. A typical feature was the question of the problematic enforceability of obligations, which could often be implemented through the military superiority of one party over the other.

The Hungarian Kingdom got to similar relations in its first century as had been in case of Moravians. King Peter Orseolo (1038–1041, 1044–1046) also took solemn oath of fidelity to the king of Roman-German Empire (successor of the Eastern Empire of the Franks) and an offer to take the oath of fidelity was performed also by his successor Andrew I (1046–1060). We can come across such oaths also in case of the Polish prince Kazimierz I the Restorer (1034-1058); these relations were of a more permanent nature in case of Bohemian Premyslids.[6]

Compared to Moravian Mojmirids or Bohemian Premyslids Hungary was able to resist the stronger pressure from the Empire. Roman-German Empire, the successor of the Eastern Kingdom of the Franks gradually closed into itself as a result of inner crises unable to perform an active power policy towards its neighbours. Roman German Empire thus turned into a set of states and their rulers had to give up more substantial power state ambitions. Unlike Hungary, Bohemia (and Moravia) became part of the union of Roman-German Empire through their obligations.[7]

Since the 11th century, centralization trends can be observed in central European space, leading to the creation of compound states. Several countries thus established a common tie with Hungary. Majority of such ties was of temporal nature, however, some of them lasted longer. Thus, (1) associated or affiliated countries (Croatia, Dalmatia, Slavonia), and (2) vassal countries (e.g., Duchy of Galicia) appeared.[8]

The difference was that in associate countries the head of the state was identical to Hungarian king, while in case of vassal countries a personal union between Hungarian King and the local ruler occurred. This personal union had an impact on

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4 Razim, 2017, pp. 41–90.
5 Székely and Bartha (eds.), 1984, vol. I, pp. 661–701.
6 Lysý, 2004, pp. 451–468.
7 Boshof, 1979, pp. 265–287; Žemlička, 2014, pp. 16–46.
8 In more complex way described constitutional relations of Hungarian countries Kadlec, 1907, pp. 2–3.

the relations of both countries. Hungarian kings imitated here the habit adopted from the Roman-German Empire. Eventually, the unions in the form of associate countries became more permanent in nature. The first one was Croatian-Hungarian union.

In the year 1097, Hungarian King Coloman let himself be crowned Croatian king after the victorious war. That was how Hungarian-Croatian union arose, originally linked solely to the person of the monarch (thus having the form of personal union) which lasted until the year 1918. The union of both countries had to be repeated in 1102. According to the later tradition it was a treaty (so-called *pacta conventa*) between Hungarian King Coloman and Croatian top nobility under which a voluntary union of both countries was established. This interpretation was supported by the maintained union charter.[9]

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 used to send their representatives to the Hungarian diet. The resolutions of this common diet were binding for Croatian only after their separate approval by the Croatian assembly. Therefore, majorization (outvoting due to minority in number of voters) could not occur. Croats gave up this autonomy following the death of Joseph II at the assembly in the years 1790–1791. In 1868, Hungarian-Croatian Compromise was established under which the territory of Croatia-Slavonia obtained a special status within the Kingdom of Hungary.[10]

Personal union of Poland and Hungary arose twice: first time after the extinction of Piast dynasty by the death of Kazimierz III 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, linked by the person of the monarch only who ruled independently in both countries under the law of the respective country. The second personal union arose in 1440 by election of Vladislav III Jagiello Hungarian King (he ruled as Vladislav I in Hungary). However, he was supported by a part of the country only. Polish–Hungarian union lasted for a short time as Vladislav I died in 1444 after the battle of Varna against Turks.[11]

From the viewpoint of Hungarian history, more perspective and longer lasting were the unions with Bohemians. Technically, Bohemia was not a single state as it was a union of two countries, Bohemia and Moravia since the 10th century. The rule of the Bohemian princes (kings, since the end of the 13th century) over the two countries was gradually extended to other territories like Silesia, Austrian countries, Lusatia, Luxembourg, Brandenburg. Therefore the union of the Czech crown lands arose. The name of the lands of the Czech Crown was adopted during the reign of Charles IV (1346–1378), who imprinted not only the superpersonal term 'crown' on this group, but also the legal foundations defining the relations between individual countries as well as the sovereignty of the monarch, who 'borrowed' the crown and in this way,

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9 Kristó, 2007, pp. 138–139.
10 Macůrek, 1934, pp. 46–50.
11 Kónya, 2013, pp. 103, 128–130.

exercised the rule of the whole state. Even though Hungary also got to the common union with the Czech crown lands, such union where Hungary would become part of Czech crown lands or the opposite, Bohemia the part of the union of Hungarian crown, never occurred.[12]

The first personal link of both countries arose after Arpads' extinction on the Hungarian throne in 1301 when Wenceslaus III, supported by only a part of Hungarian nobility became a new Hungarian King (he ruled as Ladislav V in Hungary). Personal union did not occur as Ladislav´s father Wenceslaus II remained to be a ruler of Bohemia. Eventually, Wenceslaus III had to retreat from Hungary and the members of Anjou dynasty became Hungarian rulers. Similar situation occurred after their extinction as since the year 1387 Sigismund Luxembourg, brother of Czech and German King Wenceslaus IV ruled in Hungary. Personal union came only after the death of Wenceslaus IV in 1419. Sigismund was his successor and thus a personal union including Hungarian lands, Bohemian lands and the Holy Roman Empire arose. However, its existence did not lead to a closer form of integration of 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), Albrecht took over the rule in Hungary and in Bohemia (with much more difficulties). However, in 1439 he died unexpectedly and along with him, the arduously created personal union in central Europe ceased to exist.[13]

This mode fashion of creating unions continued until the end of the 15th century. Czech King Vladislaus Jagiellon ascended to the Hungarian throne after the death of Matthias Corvinus in 1490. A weak rule of Jagiellons posed no risk that the personal union of Bohemian and Hungarian lands might create a stronger common union. However, the creation of personal union occurred in 1490 which preserved by the year 1918. Bohemian and Hungarian kings were identical persons eversince; by 1526 these were the Jagiellon dynasty rulers, after 1526 the Habsburg dynasty rulers and the Habsburg-Lorraine dynasty since the year 1780.[14]

The above-mentioned personal unions (except the Croatian-Hungarian union) had one specific aspect in common: no joining of institutions occurred. The unions had in common the rulers only (heads of states) reigning consistent with special regulations in the actual countries while respecting different laws of these countries. Their basis formed dynastic relations and family (or nuptial) policies of European dynasties like those of the Luxembourgs, Jagiellons or Habsburgs. These were of a temporal nature only.

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12 For the structure of the Czech crown lands in the late Middle Ages see, e.g., Šmahel, 1995a, pp. 189–200; Kavka, 1993a; id., 1993b.
13 For Hungarian 'adventure' of Czech king see Žemlička, 2017, pp. 350–369. Sigismund's path to Hungarian throne described Dvořáková, 2003, pp. 36–46. For his struggle over Czech lands see Šmahel, 1995b, pp. 7–64.
14 Marsina, 1986, pp. 418–425.

All that was to change after the year 1526 with the rise of the Habsburg monarchy which proved to be long-lasting and vigorous. This also meant the incorporation of the lands of the Czech Crown, when the Czech lands were gradually united with the Austrian lands, mainly due to the defeat of the Czech estates in the year 1620. Formally, however, the union of the lands of the Czech Crown came to an end as late as 1918 (with the establishment of the Czechoslovak Republic).[15]

The aggregate of the Habsburg monarchy countries sometimes denoted as 'Danube monarchy' or less correctly 'Austria' was a continuation of the original Czech-Hungarian union. It arose on the basis of dynasty agreements between the Jagiellons and Habsburgs on mutual succession, completed after the unfortunate battle of Mohacs on August 29, 1526, where Czech and Hungarian king Louis II died on his flee. Although no one realized its consequences at that time, it resulted, after the following fights for the throne in Hungary, in creation of Habsburg monarchy, that is, the union of central European countries headed by the members of the Habsburg (and since 1780 Habsburg–Lorraine) House.[16]

The Habsburg monarchy rulers proudly bore a long list of ruler titles; they were emperors, kings, grand dukes, dukes, markgrafs. The core of the Habsburg monarchy consisted of Austrian lands, the original feudum of the Holy Roman Empire. Based on dynasty agreements, the Bohemian crown lands and the Hungarian crown lands were added to it in 1526. Moreover, Habsburgs bore also 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 single lands did not have identical succession rules and thus succession principles varied from one country to another.

Therefore, Habsburg monarchy was originally united by its monarch only. This union had no common name at first and sometimes the designations like hereditary lands or other informal names were used. In the 19th century, the designation of Austrian Empire came into use (since 1804 Habsburg monarchy rulers were Austrian Emperors, 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 also other institutions were joining the Habsburg crown lands like the Privy Council, the Office of the Imperial Court, the Economic Council, Military Council of the Imperial Court and the Ministry of the Police.[17]

Union of the kingdom of Hungary with other countries of the Habsburg monarchy enhanced absolutist trends of some rulers. In particular, these were linked with the rule of Leopold I (he ruled as Hungarian King in the years 1657–1705). Also, his predecessors 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 came up with the loss of sovereignty theory (so-called *Verwirkungstheorie*) according

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15 For the development of the lands of the Czech crown, see, e.g., Kalousek, 1871, pp. 388–585. The end of the monarchy is described in concern to a constitutional development in Adamová, 2015, pp. 314–344.

16 See Kann, 1975, pp. 1–56.

17 For the central administration in Vienna, see Sokolovský, 1995, pp. 6–10.

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 by the concept of original acquisition of the country according to which the monarch conquered Hungary from the Turks, thus acquiring ownership title to it, therefore he was no more bound by old laws.[18]

When Hungarian King Charles II (he ruled as Roman German Emperor Charles IV) decided to issue Pragmatic Sanction in 1713, the intention was to create a unifying regulation securing the indivisibility of the Habsburg monarchy lands.[19] Pragmatic Sanction had to be approved individually in all the constituent lands of the monarchy. This process occurred in the years 1720–1724. On one hand, the adoption of Pragmatic Sanction in the various countries occurred pursuant to the individual legislative procedure of each country, on the other, its adoption solidified at the same time the unity of the Habsburg compound state. Along with this, the Pragmatic Sanction became the constitutional basis for the entire monarchy which proved to be of a special significance in the 19th century. Although classical political government science deemed Austria–Hungary to be a real union only after the year 1867, its foundations were set in the aftermath of the year 1526 by the creation of the common governmental bodies effective in all monarchy lands and also by Pragmatic Sanction of 1713.[20]

In order to fully comprehend the essence of Habsburg lands union, crucial is the existence of central institutions residing in Vienna having 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 the military and foreign relations within a single center.

Hungary obtained a special position within the monarchy framework. From the view of the Habsburgs, two categories of countries within the monarchy arose as a result of the Hungarian estates' uprisings and their compromising termination by Szatmár Peace of 1711. Bohemian lands (after the year 1627) and Austrian lands were linked by a stronger bond mainly through an absolutist rule while the Hungarian crown lands bonds were more unattached. This difference broadened in the 19th century and lead the monarchy to dualism after the year 1867.

A special integration was attempted during the reign of Joseph II (1780–1790) who did not let himself be coronated as Hungarian or Bohemian king trying to rule directly through imperial directives. This manner of rule was deeply resisted and this attempt at centralization of the monarchy failed as a result.

The revolutionary events of the years 1848/49 created new relations within the monarchy. In the framework of reform attempts, Hungarian Diet adopted a series of articles of law which became known as April (or March) Laws. Inter alia, they created a Hungarian government and contained special provision that the monarch exercises

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18 Gábriš, 2013, p. 15.
19 Pragmatic Sanction established a unified succession rule in all Habsburg monarchy lands including female line succession right.
20 Real unions and the example of Austria–Hungary are analysed in Jelinek, 1914, pp. 754–761.

his executive powers through the relevant ministry. Hungarian King and Austrian Emperor Ferdinand was rather reluctant when approving these laws on April 11, 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 Pragmatic Sanction in the view of Vienna.[21]

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

It should be noted that Hungarian government and the Land Committee of the Homeland Protection attempted to go in relations with foreign countries that would be in accordance with the concepts of Hungarian politicians regarding the independence of the country. Although some western European countries were very sympathetic towards Hungary, the most important powers (France and Great Britain) were not willing to acknowledge Hungary as a country outside the Austrian Empire borders. The only exception was the position of the Kingdom of Piemonte–Sardinia, although its favorable stance towards independent Hungary was only of a temporal nature.

On March 7, 1849, Emperor Franz Joseph issued the imposed Stadion's Constitution which considered the Habsburg monarchy lands as mere provinces. This step brought about a strong reaction from Hungary which had declared independence in the meantime. Responses from foreign states were rather reserved again and a treaty with the independent Hungary was concluded only by the Republic of Venetia. 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 into a centralist and absolutist Habsburg monarchy.[22]

The issuance of October Diploma (October 20, 1860) was a return to a partially constitutional state of affairs, promising restoration of constitutionality in the entire monarchy and a federation to a certain extent. This trend was supported also by the new all-empire constitution called February Patent (February 16, 1861), which outlined the trends to federalize the monarchy. As Hungarian politicians rejected this text and the newly elected Hungarian Diet supported the notion of an independence of Hungary, the Emperor dissolved the Diet and a new provisional arrangement was introduced. Since 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 for hegemony among German states (long-term power struggles between Prussia and Austria) as well as in Northern Italy. The defeat became the reason for the need to create more permanent relations between Vienna and Pest-Buda. The negotiations between Vienna and

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21 Brauneder and Lachmayer, 1987, pp. 179–181.
22 Kónya, 2013, pp. 577–580; Adamová, 2015, pp. 223–233.

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 and further eight ministers of the Hungarian government. Thus, Hungary finally had its cabinet for the first time after the year 1849. Hungary and Austria therefore stood at the threshold of the Austro–Hungarian Compromise.[23]

From among the laws adopted by the Hungarian Diet 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.[24] The settlement eventually became part of the Austrian laws and was incorporated into the 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.) which are collectively known as the December Constitution arranging the relations in the Austrian part of the monarchy until its final dissolution in the year 1918. Under the terms of the Compromise, the Habsburg monarchy was transformed into 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 April Laws as effective (although in a form modified by Article of Law No. XII/1867), sovereignty of Hungary and its administration. On the other hand, Hungary accepted the idea of common matters, i.e. administration transfer of matters of foreign affairs and finance upon central Austro–Hungarian institutions in which Hungarian politicians enforced their respective right to participate.

Pragmatic Sanction became the basis for the relations between Austria and Hungary expressing unity of the empire represented by a common ruler. As a part of the compromise, Franz Joseph let himself be coronated Hungarian King after nineteen years of his rule. The coronation ceremony was held in Buda on June 8, 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 as 'imperial and royal' (*k. und k.* in German).[25]

Apart from the Imperial and Royal 'Apostolic Majesty' the common bodies of the entire monarchy were the following: (1) The Ministry of Foreign Affairs (minister was the chairman of Austrian-Hungarian Ministerial Board), the Ministry of War and the Ministry of Finance as executive bodies; (2) delegations of parliamentary

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23 Adamová, 2015, pp. 254–280.
24 In Hun. orig. "1867. évi XII. törvénycikk a magyar korona országai és az Ő Felsége uralkodása alatt álló többi országok között fenforgó közös érdekű viszonyokról, s ezek elintézésének módjáról."
25 Brauneder and Lachmayer, 1987, pp. 181–186.

representatives of Austrian Imperial Council and Hungarian Lands Assembly; (3) the Austro-Hungarian Bank (bank of issue).

The existence of these Austrian-Hungarian bodies meant that Austria–Hungary had a common army although in practice separate military bodies existed, too (*Landwehr*, *honvédség*) 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 rejected to participate in the activities of the Austrian Imperial Council and did not send 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 budgets and final accounts of the empire. Part of the Compromise was also the agreement on the way how to determine the extent of contributions to finance the common matters and setting of the customs rates. Both parts of the monarchy collected customs duties individually, but customs policy had to be resolved in conformity. These negotiations were far from simple due to the different economic structure of Transleithania and Cisleithania.[26]

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), did not have a common legislative body, did not have a common system of law or a 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 the 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 Austria–Hungary was seen as real union by some since it had some common bodies in addition to the common head of state. In the Hungarian environment, more popular was the notion of a personal union with the elements of the real one.

Internationally, Austrian Empire was perceived as a single unit since the adoption of Pragmatic Sanction at the latest. The attempts of Hungarian politicians of 1848/49 and later during further international crises of the Habsburg monarchy (1859, 1866) to bring the Hungarian issue to the international field failed. Austria–Hungary became a regional power after a series of defeats respecting the dominance of Prussia 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

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26 100 years of Austrian-Hungarian compromise had become an opportunity for such reflections as Vantuch and Holotík, 1971.
See also Barany, 1975, pp. 379–409; Sarlós, 1975, pp. 499–522.

congress, Austria–Hungary obtained the opportunity to annex Bosnia and Herce-govina (which happened in the year 1908). It may seem interesting from the view of inner 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.

Acts of Austria–Hungary as a single subject of international law 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 relation similarly to other powers. From the view of foreign orientation, it is important to note that following the consolidation of the relations with the German Empire based on international treaties it became part of the so-called Dual Alliance (1879) and Triple Alliance. Such treaties were ratified in both parliaments.[27]

Another interesting integration process of the 19th century was the unification of Germany. The formal Holy Roman Empire of the German Nation, which was formed (not yet under this name) at the beginning of the 10th century, was dissolved as a result of the Napoleonic Wars in 1806 and replaced by the Rhine Confederation which united the German states with the exception of Austria and Prussia (and some others). After the Congress of Vienna, which completed the peaceful arrangement of Europe after the Napoleonic Wars, it was replaced by the German Confederation. It already contained the territories of Austria and Prussia, but only those that previously belonged to the Holy Roman Empire. Thus, the territories of the lands of the Czech Crown were also included in the union, while the lands of the Hungarian Crown were not.

In connection with the developing German national movement, the question of the integration of the German countries became crucial. What the borders of a united Germany would be, whether they would include the lands of the Czech Crown for example, and whether the drive of unification would be Austria or Prussia was a controversial issue. While Austria had the status of the presiding country of the German Confederation, Prussia managed to gain hegemony among the German states in the victorious war with Austria in 1866. The German Confederation was thus replaced by the North German Confederation under the leadership of Prussia, which became the basis of the German Empire. This was declared in 1871. The states of the North German Confederation, together with their South German allies, thus created a federal entity under the leadership of the Prussian king who became the German Emperor.

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

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27 For example, the Berlin Congress conclusions were resolved by the Article of Law No. VIII/1879 on Berlin Treaty ratification (in Hung. orig. "1879. évi VIII. törvénycikk a berlini szerződés becikkelyezéséről").

create nation states on the monarchy ruins. In October 1918, Hungarian government renounced the union with Austria and on November 11, Emperor Charles (1916–1918) abdicated. Austria–Hungary ceased to exist.[28]

The principal outcome of the First World War was the territorial disintegration of Russian, German and Austro-Hungarian empires and the creation of new states. Thus, after over a century the existence of Poland was restored, the Kingdom of Serbs, Croatians and Slovenians was created, 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 fact that the existence of Czechoslovak (and not Czech and Slovak) nation was referred to. However, the fiction of a uniform Czechoslovak nation became a problem in the political practice dividing the political spectrum.[29]

Like every huge conflict on the European continent, the First World War was also supposed to be finally terminated by peace treaties between the victorious Allied powers and the defeated Central powers states. The conference negotiations began on January 18, 1919, in which the great powers of the Entente, notably Great Britain, France, United States of America, Italy and Japan played the most significant role both formally and factually. Unlike the powers, other states of the Entente participated in the negotiations only with regards 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 at various Paris suburbs which gave unofficial titles to these treaties.

From the internal Central European perspective, the most important treaties proved to be the treaties with Germany (Versailles Peace Treaty), with Austria (Saint Germain Peace Treaty) and Hungary (Trianon Peace Treaty); 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 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.[30]

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28 Opočenský, 1928, pp. 443–768.
29 The disintegration of Austria–Hungary described in his comparative monography Rychlík, 2018, pp. 209–253.
30 For Hungarian perspective, see Romcsics, 2006, pp. 105–218.

The implication of these treaties in the specific cases varied. As for Czechoslovakia, Versailles Peace Treaty signed with Germany on June 28, 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 Hlučín region. Other Czechoslovak territorial claims were not recognized. Saint Germain Peace Treaty with Austria signed on September 10, 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 Valtice and Vitoraz regions which were attached to the Czechoslovak state. On the other hand, Trianon Peace Treaty signed by victorious states with Hungary as late as June 4, 1920 set the state borders in a more complex way. The reason was that no administrative borders had existed within Hungary, which the victorious Entente states were willing to apply (Hungarian administrative districts did not respect any natural or ethnic borders). Therefore, Trianon Peace Treaty set only a framework for borders between Hungary and the neighbouring 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 taking over of a part of the pre-war state debt of Austria–Hungary. The succession states differed considerably also in respect of law. While Czechoslovakia after its creation belonged to the victorious block of states, Hungary and Austria were the defeated states and it was necessary to conclude a formal peace treaty with them (state of war was initiated by the now non-existent Austria–Hungary). Hungary and Austria were not identical with Austria–Hungary in the view of international law. It can be said that disintegration of Austria–Hungary was not a mere breakdown of the dualist compound state but also a breakdown of its subjects, that is, Austrian Empire and the Kingdom of Hungary.

The enormous extent of the war conflict started by aggression of Germany and Austria–Hungary in 1914 revigorated the idea of an international organization that should resolve future conflicts in a peaceful way. The organization was named the League of Nations and its rise was embedded in Paris peace treaties. Although one of the biggest supporters of the idea of a global organization was the American president Woodrow Wilson, 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 vested in this organization did not materialise after all. For central European states, bilateral treaties and multilateral agreements of 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 January 25, 1925. Czechoslovakia's security against the threat of revision of treaties by Hungary 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.[31]

An attempt for 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 Briand-Kellogg's pact of August 27, 1928, signed in Paris by 15 signatories including Czechoslovakia with many other states acceding to it at a later point. The treaty declared war to be an illegal instrument for resolving conflicts and allowed for the conduct of wars in defence only. 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 was gradually renouncing its obligations under the Versailles Peace Treaty hated not only by the Nazis, but also by a great part of the German public. The immediate threat for Czechoslovakia came mainly after Anschluß, annexation of Austria to Germany in March 1938, although such unification of Austria and Germany was explicitly banned by peace treaties after the First World War. Therefore, the border between Czechoslovakia and Germany was in practice extended, in addition to northern Moravia and Bohemia the border line reached southwards as far as Bratislava.

After annexing Austria to Germany, Adolf Hitler was able to concentrate on a new goal, Czechoslovakia, in his view an 'artificial' unit. Hitler's final goal was to erase Czechoslovakia from the map of Europe. The attacks against the numerous members of the German minority in Czechoslovakia as repeatedly proclaimed by the Nazi propaganda served as an excuse for actions taken against Czechoslovakia. In cooperation with political representatives of the German minority in Czechoslovakia, Hitler expressed his demand for annexing 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 towards 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 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.[32]

On the initiative of British Prime Minister Neville Chamberlein, 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 the Reich leader Adolf Hitler), Italy (Prime Minister Benito Mussolini), Great Britain (Prime Minister Neville Chamberlein) and France (Prime Minister Édouard Daladier).

31 Adamová, 2015, pp. 360–362.
32 Rychlík, 1997, pp. 141–143.

It was held in the Munich Nazi Party headquarters (NSDAP) in the night of September 29–30, 1938. The outcome of the negotiations was the agreement between Germany, Great Britain, France and Italy which entered history under the name 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 German population; (2) Czechoslovakia was to vacate this territory by October 1st without causing any damages to the installations existing there; (3) Czechoslovakia was to release all Sudeten German citizens from detention or imprisoned 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 its representative did not sign the agreement, accepted the wording of Munich Agreement on September 20, 1938, by a governmental decree.

Both the governmental decree that Munich Agreement relied on 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 a cession of the state territory. The consent of three-fifth majority of either National Assembly chamber was required for changing state borders. Moreover, the government accepted the proposals of Great Britain and France only under the condition that Czechoslovakia will be provided guarantees in case of further German demands, what, however, was not met by the powers. These reasons make the Munich Agreement invalid from the perspective of domestic law in force in Czechoslovakia.

From the perspective of international law, the Munich Agreement was contrary to the League of Nations Pact, Locarno agreements of 1925 (the duty of peaceful resolution of disputes) and so-called Briand-Kellog's Pact of 1928 (prohibition to resolve disputes through the use of armed force). On the contrary, the consent to cede territories to Germany was obtained only under the threat of force and such legal act was invalid under the international law as in force at that time. The reasons of Munich Agreement invalidity 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 which did not participate in negotiations nor was a signatory of the agreement; (2) there was an immediate threat of violence by Germany, as Nazi Germany threatened to declare war unless its territorial demands were met; (3) it was a fraud on the part of Germany, as Nazi Germany did not intend to be satisfied with the ceded territories only, but its genuine interest was destruction of Czechoslovakia. For this reason, the manifestation of will by Germany (that it will be satisfied by obtaining 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 that what remained of Czechoslovakia.[33]

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

Based on the addendum to the Munich Agreement, Czechoslovakia was forced to hold negotiations on satisfying the demands of Poland and Hungary. In 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 of Poland, the matter came – at least temporarily – to a conclusion. The attitude of Hungary was more complicated as Hungary preferred arbitration by powers more than reaching 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 November 2, 1938 and became known as the First Vienna Arbitration. 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 last for long as under the impact of both domestic and foreign pressure Czechoslovakia disintegrated on March 14–15, 1939. The Slovak state was declared on what remained of Slovakia (March 14) and so-called Protectorate of Bohemia and Moravia was declared on the remaining territories on March 16, 1939, after the Wehrmacht troops began their occupation.[34]

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 a rather broad recognition from foreign states, it should be noted that the most favorable period for it was the first year of its existence. Except neighbouring states (Poland, Hungary, Germany) the Slovak state was recognized also by the Soviet Union, Italy, Vatican and de facto by France and Great Britain. However, the attitudes of the states changed, for example, as the result of Slovakia joining the war against Poland (September 1, 1939). This later caused that the post-war arrangements in central Europe disregarded the changes produced by foreign policy of the Third Reich (Munich Agreement, Vienna Arbitration 1 and 2); however, retained those that resulted from the will of the Soviet Union as a victorious state (new borders of Poland, annexation of Carpathian Ruthenia to the USSR).[35]

One of the key principles of the post-war arrangements was the thesis of legal continuity of the Czechoslovak state. 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). Munich Agreement was voided during the war by its signatories (France, Great Britain and Italy) and the Federal Republic of Germany did so in 1973.

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

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34 Adamová, 2015, pp. 425–449.
35 Let us remind of the fact that the first war ally of the Third Reich was the Slovak state during the attack against Poland in September 1939. The question of *restauratio statu quo ante* after the world war was, however, under different perspective in the East and West. See Rychlík, 1997, pp. 212–226.

a veto power. These were China, the Soviet Union, United Kingdom of Great Britain and Norther Ireland, France and the United States of America.

Following the end of the Second World War, Central European states became immediately part of the Soviet sphere of influence even though communist regimes were not established at the same time in these countries. Different status of these states was rather attributed to classifying these states as victorious and 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 the first direct ally of Adolf Hitler in his march against Poland. Post-war relations in Europe were to be resolved repeatedly through a grand peace conference. Like almost thirty years ago, it was held in Paris with the negotiations launched on July 29, 1946. Unlike the first one, no peace treaty was made with Germany, only with its key allies (Bulgaria, Finland, Hungary, Romania and Italy having the status of defeated states). In case of territorial requirements of the USSR a considerable shift of borders occurred in its favor, not only at the expense of the defeated states (Germany, Finland, Rumania), but also at the expense of victorious states Poland, Czechoslovakia).[36]

A special issue of mutual relations was the status of German and Hungarian minorities in Eastern European countries. As for the German minority members, based on the final Potsdam conference protocol,[37] 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. 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 February 27, 1946.[38] It provided the basis for mutual exchange of Hungarian inhabitants with 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.[39]

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36 Rychlík, 2020, pp. 43–45.

37 It was held from July 17 to August 2, 1945 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 Clement Atlee as the election winner.

38 It was published under the number 145/1946 Sb. Dohoda medzi Československom a Maďarskom o výmene obyvateľstva (Agreement between Czechoslovakia and Hungary on population exchange).

39 The acts against the German and Hungarian majorities members were facilitated by the fact that in the period of the Second World War, these population groups adopted citizenship of 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 and Czech nationalities living in the territories of Germany and Hungary who also adopted these foreign citizenships were not viewed in the same way. For basic overview, see Brandes, Ivančíková and Pešek, 1999. Hungarian perspective is analysed, for example, in Vadkerty, 2002, pp. 251–367.

The post-war rivalry between the Soviet bloc countries and those of the West was also manifested in the field of economic relations. From the viewpoint of the victorious United States of America, which, unlike after the First World War, did not intend to withdraw from war-torn Europe, it was logical for the countries of Western Europe to restore their economies as quickly as possible. This applied not only to countries that were allies during the Second World War. The USA also tried to restore the economy of its former enemies, Germany (or rather its western occupation zones) and Japan. They could thus obtain their economic potential to their advantage, use it in the next match with the Soviet bloc, and at the same time, gain an outlet for their products. As a result, the United States offered European countries a system of loans in the form of the so-called Marshall Plan, which was presented in September 1947 at a conference in Paris. Formally, these loans were offered to all European states affected by the war, but only the countries that did not become part of the Soviet bloc accepted it. Typically, Czechoslovakia, which initially expressed an interest to apply for a loan, later withdrew its request owing to Stalin's intervention. The countries of the Soviet bloc thus built up their alternative model of economic cooperation in the form of the Council for Mutual Economic Assistance. Central Europe became divided as a result of the creation of post-war blocs.

The Council for Mutual Economic Assistance (Comecon, founded in Moscow in 1949) was an organization within which Mongolia, Cuba, and Vietnam participated in addition to the USSR and Central European countries of the Soviet bloc. The goal was to build a self-sufficient economic bloc whose contact with Western economies was to be minimized and subject to control. However, owing to the Soviet bloc falling behind technologically compared to the West, the results of the Comecon can be evaluated as unsuccessful. After the fall of the communist regimes, a gradual disintegration of the Comecon occurred, and it formally ceased to exist on June 28, 1991 at the meeting of the remaining member states in Budapest.

The new conditions after the Second World War also required military cooperation in the Eastern Bloc, mainly to suit the interests of the USSR as the country that suffered the greatest losses as a result of the war. Although similar communist regimes were gradually installed in the countries of the Soviet bloc just after the Second World War, the mutual relations were not the best.[40]

The relations among some neighbouring states of the newly established Eastern Bloc were rather tense but it was in the interest of the USSR as the new hegemon to improve them. The mutual relationships were at first governed by various bi-lateral agreements of mutual friendship and cooperation. However, when a military organization, the North Atlantic Treaty Organization (NATO) was established by Washington Treaty in 1949 and the Federal Republic of Germany was later allowed to join it, the response of the Soviet block was to create a military organization of its own,

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40 See Faudot, Marinova and Nenovsky, 2022, pp. 1–31.

the so-called Warsaw Pact of 1955.[41] It presented itself as a defence pact of socialist countries with a common command and control (with the headquarters in Moscow).

In the course of the existence of the communist bloc in Central Europe, several attempts to manifest disagreements with the regime nature occurred. The resistance manifestations were violently supressed in Polish Poznań in 1956 and especially the revolution in Budapest in the same year led to a direct occupation of the country by Warsaw Treaty troops. In 1968, military troops of Warsaw Treaty intervened in inner development in Czechoslovakia, so-called Prague Spring. This was the first (and the last one at the same time) military action of this military block. Soviet troops left Czechoslovakia as late as after 1989.[42]

New impulses for Central Europe integration came after the fall of 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 European Union (after 2004). The degree of mutual links of these states and the experience obtained so far show 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.

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41 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 existing at that time.

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

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