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THE
INTERNATIONAL
ASPECTS OF THE SLOVAK
QUESTION

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FOREWORD

UP TO THE YEAR 1918 SLOVAKIA was part of Hungary. Czecho-Slovakia had never existed before. Only after the First World War, Slovakia has been brought together into a common state with the Czechs. By setting up the new state — Czecho-Slovakia — it was intended to meet the justified yearnings of two small nations for their independence.

When the First World War was still going on, the Slovak emigrants in the United States of America already started to claim application of the right of self-determination for the case of Slovakia, and the creation of an independent Slovak state. This tendency was met with opposition. It was argued that it would lead to the creation of many independent national states in place of desintegrated Austro-Hungary. To avoid that, the Great Powers-victors gave preference to political formation composed of several nations. Facing this situation the Slovaks started to consider maintaining their right of self-determination through political union with some other nation on a federative basis. The political union with Hungary has been rejected on the ground of suppressions, practised by the Hungarians during the period of their domination. Federation with Russia was rejected because of the Oriental-Bysantic peculiarities of Russian culture. Federative union with Poland was equally rejected on the ground of the numerical incomparability between the Slovak nation on the one side and the Polish nation on the other side. There were comparatively few objections against federation with the Czechs.

Consequently, the favorable attitude for setting up Czecho-Slovakia was taken not because of the fact that they constituted one and the same racial unit or formed the same nation but as a solution that could meet the strivings of two nations to satisfy their anguish for self-determination. This is an answer why it came to the conclusion of an agreement between the Slovaks and the Czechs in Cleveland (1915) about the prospected state, which according to the designers had to be a federation of two independent states. In the year 1918, on 30 May, in Pitts-

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burgh (U.S.A.), Thomas G. Masaryk had formulated an agreement, signed by him subsequently after being elected President on November 14, 1918, which guaranteed an autonomy for the Slovaks.

There was not possible any extensive political activity on the part of national conscious Slovaks on the territory of Austro-Hungary during the time when the First World War lasted. First on October 14, 1918 Ferdis Juriga, then Deputy to the Hungarian Parliament in Budapest, claimed openly the right of self-determination for the Slovak nation, with Slovak representation at the Peace Conference which was to decide about their fate as well. On October 30th a group of Slovak nationalists in Turčiansky Sv. Martin declared themselves the Slovak National Council and expressed their support for the collaboration with the Czechs, demanding at the same time the right to appoint Slovak representatives to the Peace Conference. The ultimate decision about the establishment of the political status quo between the Czechs and the Slovaks had to be taken by the elected deputies of the Slovak nation at least within ten years afterwards.

"Les Slovaques sont des Tchèques" — was stated in the memorandum presented by the Czecho-Slovakian delegation to the Peace Conference.

Without any foundation Edward Beneš asserted that the Slovaks are Czechs. Thus, using the right of self-determination as a guise, Edward Beneš contrived to swindle out the consent of the Peace Conference for the setting up of Czecho-Slovakia.

There was no representation for the Slovak people at the Peace Conference in Paris. Neither was mentioned in the Peace Treaties anything about Slovak autonomy.

When Andrew Hlinka, who was the head of the most-influential political party in Slovakia and representative of the Slovakian resistance movement against Hungary in 1919 came to Paris with the intention to demand from the Peace Conference a plebiscite, he was declared an agent of an inimical power and expelled from France.

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It happened so that Slovakia was incorporated into Czecho-Slovakia without the Slovaks being permitted to express their opinion about an act which determined their fate for the future.

In Czecho-Slovakia the Czech attitude with respect to the Slovaks was as stated in the Otto's Commercial Dictionary (II p. 1217): "Slovakia will be our colony". In reality the Czechs exploited Slovakia economically, ruined it socially and systematically implanted Czech ideology. Although Czecho-Slovakia was considered a democracy, Slovakia, numbering less people than the Czech countries, was under predomination of the Czechs and thus deprived of any possibility to decide upon their own destiny. As this is the case in any country, in Slovakia, too, one could meet individuals, who lent themselves to the Czech political ideas, expecting perhaps particular advantages from such attitude. But, however strong the misuse, the violation and the injury of the ruling power in Slovakia might have been, almost 70% of the Slovak representatives during the whole period (1920-1938) found themselves in opposition except in the years 1927/28, when Slovak patriots undertook a fruitless attempt to find a way for peaceful co-existence with the Czechs. It proved that the Slovaks would never achieve the rights, which were promised them at Cleveland and Pittsburgh, that they would never have the possibility to determine their own destiny in the frame of Czecho-Slovakia. And so they could but wait for the first favorable international occasion to carry out their right of self-determination.

There was no understanding for the Slovak rights in the West. That was clear when Lord Runciman came to Prague in summer 1938 to help the Government to settle the problem of the national minorities.

In the agreement of Munich, the Slovaks were not even mentioned. As diplomatical documents of this period reveal, there were negotiations on the subject of incorporation of Slovakia into Hungary.

The Slovaks used the international occurrences in 1938/39 to set up their own state. The Slovak Republic was proclaimed by unanimous decision of the Parliament of Slovakia on March

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14, 1939. The great enthusiasm of the population that gave their very best to establish their state, to develop the country in cultural and social respect and to contribute to its economical progress, all this is a proof of the material as well as the spiritual prerequisites for the Slovaks to be independent.

The Slovak Republic was not a creation of A. Hitler, as the propaganda, hostile to the Slovaks, tried to assert to the Western world.

The fact that the Slovaks knew to establish their state and to maintain it in spite of the opposition and intrigues shows the strong vitality of this nation. The whole diplomatic situation was not favorable for the Slovaks at the moment when the Slovak Republic was created. The Slovak Republic was not in state of war with any of the Western Powers, and the only power, against which Slovakia waged war, was the USSR. Here, however, the moment of self-defence was decisive.

The Slovaks have a right to independence, according to the principles of self-determination of the nations. They have a right to do it as a separate racial unit, independent from any other nation and also from the Czechs. This right was acknowledged by the allied and friendly powers after the First World War, in the spirit of the points of President W. Wilson. The Slovaks were deprived of this right by the fraudulent Czech policy. And when they, until 1918, lived under Hungarian supremacy, they lived now, after 1918, under Czech predominance.

The Slovaks have a right to independence according to the principles of democracy. They have the will to live independently. It is undemocratic to refuse this right to them. The Slovaks have manifested their will to independence many times.

There is no nation in the World that would not strive for self-government, has it once become conscious of its individuality. Since this state of affairs is recognized with respect to the nations of Asia and Africa, there is no reason why the same attitude should not be applied with respect to Slovakia in Middle Europe.

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THE INTERNATIONAL ASPECTS OF THE SLOVAK QUESTION.

Imperialists dominating or trying to dominate another nation like to have a free hand in this respect and in view of this they maintain that the fate of the dominated nation is an internal question. This principle was followed by the Czech politicians during the Second World War when they endeavored to secure a free hand over the Slovaks. Even today, the Czech imperialists make strong attempts — contradictory to the principles of democracy — to secure rights which are not theirs. They maintain that they alone have the right to decide the fate of Slovakia.

1. The Slovak question became an international one during the First World War and since then did not cease to be so.

„All well-defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new, or perpetuating old elements of discord and antagonism.“ According to this principle, one of the four proclaimed by President Woodrow Wilson on the 11th of February 1918, the Slovaks had the same right of independence as any other nation in Central Europe and not less than the Czechs.

The principle of self-determination has not ceased to be recognized by the United States of America. James C. H. Bonbright writes: „Self-determination has been a fundamental principle of American policy in Europe since the administration of President Woodrow Wilson; and this Government has not departed from it in the case of the Slovaks.“¹

In the above quotation of President Woodrow Wilson is implied the principle generally recognised by free nations. In accordance with it, the fate of any nation dominated by others, but endeavouring to obtain independence, cannot be considered an internal problem of the dominating power but is one of an international nature and its settlement is of interest to all nations.

„The desires of a people should become the basis for the settlement of the political relations of the future. The sovereignty over a

¹ James C. H. Bonbright, Acting Assistant Secretary of the State Department, Washington, in his letter of 16 August 1951 to Rev. Florian C. Billy.

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territory should not be acquired by conquest or annexation. It should not be imposed in the interest of any nation but should be left to be decided by the nation concerned."

"After the First World War a plebiscite was to be applied before a decision on the fate of any region was to be taken so that the decision of the Peace Conference had not to be based on force and arbitrary, and in order to avoid an false conclusion. A plebiscite had to be employed everywhere where there were any doubts as to the wishes of the population. And so it happened in the cases of Eupen, Malmedy, Schleswig, Allenstein and Marienwerder, Upper Silesia, Oldenburg, Klagenfurt and in the case of the Saar. In regard to the Colonies the plebiscite was not applied because as D. Lloyd George observed on the 5 th of January 1918, none of these colonies was a social, political or 'even a real administrative unit'."

"The renunciation of a plebiscite leads to arbitrary actions which deprive the acquisition of a territory of any legal basis."² This rule was applied in the case of Alsace-Lorraine and there was no reason why it should not have been applied in the case of Slovakia.

Bearing in mind the generally recognized principle of a plebiscite, V.L. Orlando when writing to David Lloyd George (June 3, 1919) wonders why it is not applied in practice: "We see... that most of the annexations, which the Conference has so far sanctioned, have not been based on a plebiscite, which is provided for only in exceptional circumstances and restricted cases."

A. After the First World War Slovakia was incorporated in Czecho-Slovakia against the ethnic principle and against the principle of plebiscite.

As the Slovaks are an ethnical group different from the Czechs, the Czechs have no legal, political or moral title to impose their rule over Slovakia. In view of the ethnic difference between Czechs and Slovaks, Slovakia should have been incorporated in the Czecho-Slovak Republic only if it had been a clearly expressed wish of the Slovak population. The creation of Czecho-Slovakia without the consent of the Slovak nation is incomprehensible and contrary to all the principles on which the Peace Treaties, after the First World War, were to be built.

² Slovak Action Committee, "Aide-Mémoire sur la nécessité du plébiscite en Slovaquie" (Memorandum on the necessity of a plebiscite in Slovakia), Paris 1946, p. 13 et seq.

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It is hard to believe that the Allies would not have consented to the execution of a plebiscite in the case of Slovakia when they respected this principle in the case of the beaten Germans. If the plebiscite was not applied, it was only because Thomas Masaryk and Edward Beneš persuaded the Allies that the Slovaks were Czechs and that they formed one part of the "Czechoslovak" nation.

At the Peace Conference on 5th February, 1919, Edward Beneš said: „Slovakia had at one time formed part of the Czecho-Slovak State. It had been overrun by the Magyars at the beginning of the 10th century. The conquerors had attempted without success to magyarize the country. The population still felt Czech, and wished to belong to the new State. There was never any suggestion of separatism in Slovakia. The same language, the same ideas and the same religion prevailed. Slovak national enthusiasm had been bred by antagonism to the Magyars.”

Following this statement of Edward Beneš, David Lloyd George expressed the opinion that no doubt existed about the claim to Slovakia proper³ and so the fate of Slovakia was decided and later on, only the Southern frontier was discussed.

It is not often that so many false statements are included in so few sentences as in the case of the above remarks of Edward Beneš. And it appears it was due mainly to the immense quantity of false statements that the fate of Slovakia was decided in the way it was.

The Slovak opposition to the Czech domineering tendencies was not unknown to those present at the Conference. Stephen Bonsal points this out: „Tardieu admitted that he had heard of the schism between the Czechs and the Slovaks which was increasingly apparent but had consoled himself with the thought that it was due merely to a misunderstanding which could and should be cleared up... He admitted that he had been startled and impressed by the plea of the Slovaks.”⁴

The Slovaks were not given an opportunity to decide their future by a plebiscite although the Slovak delegation led by Andrew Hlinka, the President of the Slovak Peoples Party, the strongest political party in Slovakia, presented to the Peace Conference on Sept. 20, 1919 a memorandum, in which a plebiscite was requested.⁵

³ David H. Miller, My Diary, vol. 16, p. 220.

⁴ Stephen Bonsal, Suits and Suppliants, p. 164.

⁵ Memorandum was signed by A. Hlinka, Dr. F. Jehlička, Dr. J. Rudinský, J. Kubala and S. Moheľ.

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On account of false statements made at the Peace Conference of 1919, imperialistic ideas obtained approval although the War was fought against them and imperialism in Central Europe was to be liquidated through the partition of the Austro-Hungarian Empire. Because of the misrepresentations of Edward Benes it was possible to create Czecho-Slovakia but the persistence of his followers in the same methods will not prevent Slovaks from attaining their independence.

Robert Lansing foresaw the consequences of the inconsistencies of the Peace Treaties: "Examine the Treaty and you will find peoples delivered against their wills into the hands of those whom they hate, while their economic resources are torn from them and given to others. Resentment and bitterness, if not desperation, are bound to be the consequences of such provisions. It may be years before these oppressed peoples are able to throw off the yoke, but as sure as day follows night the time will come when they will make the effort. This war was fought by the United States to destroy forever the conditions which produced it. Those conditions have not been destroyed. They have been supplanted by other conditions equally productive of hatred, jealousy, and suspicion."⁶

At the Peace Conference, the fraud against the Slovaks was committed due to the fact that the representatives of the Allied and Associated Powers were not well enough informed about the Slovak question. Today throughout the world, it is quite clear that Slovaks are not Czechs. That the two are different nations. This was even recognized by the Czech politicians in the Kofice Program of 4 th April 1945 and this was incorporated into the Constitution of 9 th May 1948. The Slovak desire for independence is too well known. And it is now up to the powers who after the First World War unknowingly helped to oppress Slovaks to remedy this old injustice.

B. After the Second World War with a Free Plebiscite Slovakia would have chosen to be an Independent State.

It is very clear that if Slovaks had an opportunity after the Second World War to express their wishes in a Plebiscite, there would have been no Czecho-Slovakia. There was no doubt about this in the diplomatic world. And the Czech imperialists were only too aware of this. One of the most important reasons why Edward Benes

⁶ Robert Lansing, *The Peace negotiations*, p. 244 et seq.

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directed all his efforts towards bringing Czecho-Slovakia into the Soviet sphere of influence was his endeavour to give the Red Army an opportunity to break the Slovak resistance against the re-establishment of Czecho-Slovakia.

When during the crisis which preceded Munich, the mention of a plebiscite was made by Adolf Hitler, the Government of Prague became very alarmed. Edward Benes and Milan Hodza explained to the French Ambassador in Prague, M. de Lacroix: „If we allow a plebiscite in the Sudeten lands, we will have to allow it throughout the whole of Czechoslovakia, particularly in Slovakia and Ruthenia. Then Czechoslovakia will disintegrate. Her fate shall be decided.“⁷ In the same way the Czecho-Slovak Minister in Paris, Stephen Osuský, informed the French Foreign Minister. And thus the text of the Joint Communication by the British and French Governments to the President of Czechoslovakia as agreed at the Anglo-French consultations of September 18, 1938 states: „This could be done either by direct transfer or as the result of a plebiscite. We realize the difficulties involved in a plebiscite and we are aware of your objections already expressed to this course. For this reason we anticipate you may prefer to deal with the Sudeten German problem by the method of direct transfer.“⁸

Georges Bonnet points out: „In September 1938 we were afraid of a demand for a plebiscite expressed by the Slovaks and other minorities. To avoid this danger, Mr. Benes preferred surrender of territories rather than a plebiscite.“ And Georges Bonnet does not hesitate to stress: „This opposition (i. e. of the Slovaks against the Czechs) continued even after the victory.“⁹

The wishes of the Slovak nation to be independent after the Second World War were well-known. However, in view of the tendencies to include them in Czecho-Slovakia, the Slovaks should have been given an opportunity to demonstrate publicly their will. But the free expression of public opinion could only have been made under a form of international plebiscite organized and controlled by the United Nations. If the Slovak population had been asked to express their wishes under such conditions, no doubt: an absolute majority would have chosen an Independent Slovak Republic which was the only guarantee for the enjoyment of a truly free existence and an assurance of material and intellectual progress.

⁷ Georges Bonnet, *Défense de la paix* (In Defense of Peace), p. 237.

⁸ Documents on German Foreign Policy, D, vol. 2, No. 523.

⁹ Georges Bonnet, *Fin d'une Europe* (The End of a Europe), p. 149.

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2. By non-compliance of the Pittsburgh Agreement the Slovak Question did not become an internal Czecho-Slovak Question.

During the First World War after some hesitation, the Slovak emigrants throughout the world accepted the idea of creating one State with the Czechs. In order that the Slovaks would not become an object of a Czech hegemony and in order that their rights would be preserved, certain conditions were laid down. The main one was the insistence that the future Czecho-Slovak State would be organized on a federal basis. The Slovaks in their own land were to have a completely free hand.

A. The Pittsburgh Agreement was a consequence of Czech Obligations to the United States of America.

T. G. Masaryk, trying to secure the support of the President of the United States of America for the formation of Czecho-Slovakia had to promise a special position to Slovakia. According to the authors of the „Documents on German Foreign Policy“ was „the treaty or convention between the Czechs and Slovaks of America sponsored by the United States Government under President Wilson and signed at Pittsburgh (U. S. A.)“¹⁰ F. O. Miksche points out that T. G. Masaryk „needed this agreement in order to prove to President Wilson that the Slovaks were resolved to lead a common existence with the Czechs. In reality this pact was concluded only with the Slovakian emigrants who lived in the United States and could not therefore be regarded as the expression of the will of the Slovak people as a whole.“¹¹

During the Peace Conference when President Woodrow Wilson asked about the relations between Czechs and Slovaks, Edward Benes assured him that they had been formulated to the mutual satisfaction of Czechs and Slovaks by the Pittsburgh Agreement. Woodrow Wilson was satisfied on account of this statement.¹² According to the Documents on German Foreign Policy, Edward Benes stated in 1937, during his discussion with the Austrian Minister in Prague, Mr. Marek: „The Treaty concluded at Pittsburgh by his predecessor, Masaryk, had obviously been a mistake. (Masaryk had then entered

¹⁰ Documents on German Foreign Policy, D, vol. 2, footnote 4 to No. 25, p. 63.

¹¹ F. O. Miksche, Unconditional Surrender, p. 196.

¹² „Slovak“ (Daily), Bratislava, 13 July 1937, article: The Pittsburgh Agreement and the Washington Declaration.

into an agreement after a discussion with Wilson, that, in the establishment of the new State, Slovakia should enjoy a special cultural position).¹³

However, neither Thomas G. Masaryk nor Edward Benč intended to respect the obligation urged by President Wilson. They tried to declare the Pittsburgh Agreement worthless. Thomas G. Masaryk on some occasions declared it a false document and on one occasion he writes "The second important negotiation between Czechs and Slovaks was in Pittsburgh: On the 30 th of May I signed the Agreement (Czechoslovak Agreement) not a Treaty between the American Slovaks and Czechs. It was concluded in order to appease small Slovak faction which was dreaming of God knows what of independence for Slovakia. Ideas of some Russian Slavophiles and of Štúr and Vajanský became popular also amongst the American Slovaks. Against this our Czechs and Slovaks agreed upon the Convention which demanded for Slovakia an autonomous administration, a Diet and Courts of Law. I signed the Agreement without hesitation because it was only a local Agreement between American Czechs and Slovaks. It is signed by the American citizens and by two non Americans (some signatures were added additionally in an illicit manner)."¹⁴

The fact is that the Pittsburgh agreement was drafted by T. G. Masaryk and not by any third parties. T. G. Masaryk did not do this to satisfy the Slovaks only but rather to satisfy W. Wilson too. The calligraphic copy was signed by him on the 14 th November 1918, i. e. after he was elected President of the Czecho-Slovak Republic. The constitution of the Czecho-Slovak Republic was voted for by the so-called Revolutionary National Assembly which was not elected but was formed of men arbitrarily chosen by the Czechs. The Slovaks formed only an unimportant minority in it (45 from a total of 270 representatives). Even Czechs acted in it as representatives of Slovakia: Edward Benč, Ivan Hálk, Alojz Kolšek, Alica Masaryk, Rudolf Pilič, Josef Rožnágl, Jaroslav Vlček, Zaruha Pfeiffermann etc. Ivan Déer states: "At the end of 1919 when the principles of the Constitution were discussed in the Revolutionary National Assembly and later on, during the discussions in the Constitutional Committee and during other debates, the followers of the People's Party clearly stood for the demand of political autonomy of Slovakia."¹⁵

¹³ Documents on German Foreign Policy, D, vol. 2, No. 25.

¹⁴ Thomas Masaryk, Světová revoluce (The World Revolution), p. 261 et seq.

¹⁵ Dr. Ivan Déer, Slovenský vývoj a ľudská zrada (The Slovak Evolution and the Treason of the People's Party), p. 112.

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On the 30 th October 1918, Slovak patriots met in Turčiansky Sv.Martin and approved the establishment of Czecho-Slovakia. However, they took it for granted that Slovakia would be accorded a status similar to that which Croatia had in relation to Hungary. They insisted that in ten years at the latest, an opportunity should be given to the freely-elected Slovak representatives to decide about the position of Slovakia. However, the Czech politicians knowing that the majority of the Slovak parliamentary representatives formed an opposition were never willing to permit this.

The Pittsburgh Agreement instead of becoming a guarantee of a better future position for Slovakia became only a pretence through which the Slovaks were induced to become part of Czecho-Slovakia, however, contrary to the conditions stated therein they never became equal partners but rather a suppressed nation.

The obligations undertaken in the Pittsburgh Agreement were not binding only towards the Slovaks but also towards the United States of America, represented by Woodrow Wilson. Thus the United States had not only a right but also a moral duty to ensure that the Czechs would respect the Pittsburgh Agreement. This is one of the reasons why Slovak question cannot be considered an internal Czecho-Slovak problem but rather an international one.

B. The Pittsburgh Agreement did not bind Slovaks.

The representatives of the Slovak League of America who signed the Pittsburgh Agreement and thus consented to the incorporation of Slovakia in Czecho-Slovakia, had not the title to do so. They had the right to secure all benefits for Slovakia, however, they had no right for the Slovak nation to abandon her basic right to independence. The Slovak Nation was not bound in this respect to the Agreement. The right of self-determination of a nation cannot be given up and especially not by delegates who were not legally appointed to do so.

This would not mean that the Slovak League of America could not have insisted on the application of the right of self-determination for the Slovak Nation and therefore for the Independence of Slovakia. No special powers are necessary for an action which is directed towards the fulfilment of the natural rights of an individual or of a nation as here the principles involved are universally respected. However, natural rights cannot be given up. The Articles of the Pittsburgh Agreement were binding on the Czechs as it was on this

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basis that Czecho-Slovakia was built but they did not bind the Slovak Nation as the Slovak League in America was not entitled to bind the Slovak Nation in this respect.

C. After the Czechs had failed to fulfil their obligations the Slovaks were free to make new decisions.

The Pittsburgh Agreement is to be considered the foundation-stone of Czecho-Slovakia. H. N. Howard speaks about it as an agreement entered "in order to create a new state."¹⁶ "Czecho-Slovakia in truth was actually born in America on May 30, 1918, at Pittsburgh and announced to the world by the "Pittsburgh Post", signed by T. G. Masaryk and others."¹⁷ This Agreement was not respected by the Czechs and in view of this point of view proclaimed by J. J. Rousseau is applicable: "Le pacte social étant violé, chacun rentre alors dans ses premiers droits, et reprend sa liberté naturelle, en perdant la liberté conventionnelle pour laquelle il y renonça."¹⁸ ("When the social contract is violated, and when contractual freedom is lost, everyone regains one's original rights, one regains one's natural freedom given up through the contract".)

In view of the breach of the Agreement by the Czechs, the Slovaks have no obligations towards Czecho-Slovakia, but have full rights on the question of self-determination to decide their destiny, just as if they never had formed part of Czecho-Slovakia. On no account can the Slovak question be considered an internal Czecho-Slovak problem, but is rather of an international character.

3. The League of Nations should have remedied the injustice brought upon the Slovaks by the Peace Conference.

According to the principles prevailing at the Peace Conference, Central Europe after the First World War was to be organized on an ethnic basis and one could expect that each nation's own representatives should have been allowed to take an active part in the settlement of the political problems of this part of Europe. It was natural to assume that this would also be applied in the case of Slovakia.

¹⁶ H. N. Howard, *Czechoslovakia, A Chronology*, p. 459 (R. J. Kerner, *Czechoslovakia*).

¹⁷ George Lane-Fox Pitt-Rivers, *The Czech Conspiracy*, p. 37.

¹⁸ Jean J. Rousseau, *Du Contrat social (The Social Contract)*, Book 1, Chap. 4.

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A. After the First World War the Peace Conference passed a decision on Slovakia without lending an ear to the Slovak people.

Ferdif Juriga, the only Slovak Deputy in the Budapest Parliament at that time, in his speech of the 19th October 1918, requested the admission of Slovak representatives to the future Peace Conference. In accordance with the Turčiansky Sv. Martin Declaration, in which the Slovak patriots on 30th October 1918 expressed their desire to join Czecho-Slovakia, Slovakia was to be represented at the Peace Conference. The original of this Declaration does not exist as it was forged later.

When Andrej Hlinka, President of the Slovak People's Party, the largest political party in Slovakia, came to Paris in the September of 1919 after three months of travel in order to present the Slovak wishes and to request that the principles of self-determination should be applied to Slovakia, the Slovak case was already decided. However, this did not hinder Edward Beneš from dencouncing Andrew Hlinka in front of the French authorities as an agent of the defeated powers. On this basis he was expelled from Paris and upon his return to Slovakia, imprisoned.

The Peace Conference decided about Slovakia without hearing Slovak views. Those Slovaks who were in Paris as members of the Czech delegation did not represent Slovak opinion but were a mere instrument of Czech imperialism. And thus the Treaty of St. Germain-en-Laye (September 10, 1919) between the Allied and the Associated Powers on the one side and Czecho-Slovakia on the other, did not mention Slovak rights but only these of the other national groups of Czecho-Slovakia.

All this happened in contradiction to the principles proclaimed by the President of the United States of America, Woodrow Wilson. One of his principles (of 11 February, 1919) is: "Peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game." Another: "Every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned, and not as a part of any mere adjustment or compromise of claims amongst rival States." Against these principles Thomas G. Masaryk and Edward Beneš did not hesitate to use false representations to extend their powers over Slovakia. Ironically, the representatives of the Czech Nation used these methods when after three hundred years of oppression, their own nation regained freedom.

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B. The representatives of the United States of America promised correction of injustices.

When the members of the United States of America delegation at the Paris Peace Conference were informed about the injustices committed against the Slovaks, they declared that the arrangements as to the position of Slovakia in Czecho-Slovakia were only temporary and promised correction of the injustices. Stephen Bonsal, a member of the United States of America delegation writes: "General Stefánik, in representation of the Slovak organizations, appeared before that American delegation at the Peace Conference early in 1919 to discuss the arrangements that had been made in Pittsburgh and Philadelphia under the guidance of Thomas Masaryk. The General was far from confident that the arrangement was workable but after listening to the arguments of President Wilson and Colonel House against what was called "the Balkanization of Eastern Europe into small states that could not stand alone", he accepted the arrangements in the following terms: "We shall do our best to get along with Czechs but owing to our past unhappy experiences with Prague, we must regard the arrangement as a 'trial marriage', nothing permanent".

"Six weeks later on his return from Italy, General Stefánik told us of the American delegation that his worst fears had been realized "that Benes was treating the Slovaks as an inferior people and Slovakia as a client state, not an equal of Bohemia."

"This statement presented President Wilson with quite a dilemma. He recognized that Stefánik had not made a permanent commitment but only a tentative one and that he had the right to review it. On the other hand recognized that owing to the opposition of some of the powers in Paris and the discord in Washington, the acceptance of the Covenant was in danger. He then had the following memorandum drawn up and gave it to Stefánik and also to the Ukrainian and the Lithuanian delegation. It reads:

"You must place your trust in the League of Nations which is being fashioned now by the forward looking peoples. Its purpose is collective security and freedom for all. It will be vigilant and always ready to smash the landgrabbers. It is equipped to curb any movement that threatens the peace of the world but unless we secure the Covenant anarchic conditions will continue."

"President Wilson then formally assured General Stefánik that he would personally bring the arrangement between the Slovaks and

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the Czechs before the Council of the League for such readjustment as would be found advisable. No one then, least of all President Wilson, thought that when the Council of the League assembled by a vote of the U.S. Senate, the United States would not be a member or even present in an advisory capacity."¹⁹

"Of course the President made this statement and gave this promise in perfect good faith. At the time, he had not the remotest idea that the Senate would reject both the Treaty and the Covenant or that when the League assembled, the United States would not be a member."

"In conclusion I would say that the 'trial marriage' was only entered upon at the insistence of the American Delegation and that the Slovaks received the promise that the manner in which a 'federated' Czechoslovakia was being organized, would be carefully examined and all inequalities of treatment corrected at the first meeting of the League of Nations."

The Hon. Daniel J. Flood concludes from the above: "In this respect I have to stress and clarify: First, that General Stefánik, the leader of the Slovaks during the First World War, worked for the establishment of a federated state of Slovaks with the Czechs, but as soon as he realized what the real intentions of the Czechs are, he wished to withdraw from the arrangement with the Czechs; second, General Stefánik considered the union with the Czechs only as a cohabitation in need and for a trial marriage; and third, General Stefánik after his conversation with President Woodrow Wilson agreed to stay in the union with the Czechs, only when he received the assurances from the American President that the American Delegation will bring the grievances of the Slovaks to the League of Nations, in order not to further complicate the situation, which already was quite difficult for the President in view of the unfavorable attitude of the United States Senate."

"I note with great apprehension these facts, particularly the 'trial marriage' of the Slovaks with the Czechs, which was entered upon only at the insistence of the American Delegation, but with the promise of our own President to remedy that situation at the earliest opportunity."²⁰

¹⁹ Stephen Bonsai in his Memorandum of 24 October 1949, written on the basis of his Diary.

²⁰ Daniel J. Flood, House of Representatives, Washington, 3rd July 1952. See Congressional Record.

Stephen Bonsal writes further: "Owing to the way in which the Czechs had delayed the arrival of the Slovak mission and due to the fact that Monsignor Hlinka had accepted at their face value the promises of the Prague agents, it was felt that nothing could be done at this late moment. However, Father Hlinka was assured of a hearing before the League of Nations Council, then only a few weeks off, and of the warm support of President Wilson and of the American people. Then, unfortunately, the U. S. Senate declined membership in the League and that body unfortunately degenerated into a debating society from which no action could be expected."²¹

Stephen Bonsal emphasizes that during the sojourn of A. Hlinka in Paris he gave him "a copy of the Covenant in Slovak, with the article indicated through which, upon the assembling of the League, he would be entitled to ask for a review of the decision and, indeed, of the treaty."²²

"Today, the lovers of Truth and Justice are promised another chance through the United Nations and I cherish the hope that what I wrote at the time may be helpful in presenting the problem and the situation resulting from the failure of the Peace Conference in its true light. If, in this task my further testimony would seem to be of value, you can count upon my devotion to the limit. The failure to do justice to the Slovaks at the Conference was the piece of Unfinished Business at the Conference which I most regretted."²³

Stephen Bonsal makes it very clear that the Slovak question was decided only temporarily and that it is necessary to consider it as an international one. It appears that Mr. James C. H. Bonbright did not take into account the above facts and the consequent obligations for the United States of America. Otherwise he would not have said: "It (i. e. the United States Government) has endeavored since the establishment of the Czechoslovak Republic in 1918 to avoid any act which might be construed as intervention in matters affecting the Czechs and Slovaks or which might serve to support one against the other."²⁴

We would rather expect that the United States of America should have supported the just Slovak claims and insisted on their fulfilment

²¹ Stephen Bonsal in his letter to Mr. John Sciranka.

²² Stephen Bonsal, *Suitors and Supplicants*, p. 161.

²³ Stephen Bonsal in his letter to Mr. John Sciranka.

²⁴ James C. H. Bonbright, Acting Assistant Secretary of the State Department, Washington, in his letter of 16 August 1951 to Rev. Florian C. Billy.

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by the Czechs as they had promised to do, since they were sufficiently informed of the unfair and unlawful conduct of the Czechs.

4. The continuous resistance of the Slovaks against Czecho-Slovakia.

The Slovaks never gave up their right of self-determination and since 1918 by their attitude to Czecho-Slovakia, made it quite clear that they will not miss any opportunity to enforce its application.

A: Since the existence of Czecho-Slovakia the majority of the Slovak population formed an opposition.

During the Twenty Year's Period of Czecho-Slovakia between 1918 and 1939, the Government did not obtain the support of the majority of Slovak representatives except in 1927-8 which was a trial period when the Slovak People's Party, unsuccessfully attempted to solve the Slovak question by the participation in the Government. Outside this period the majority of the Slovak representatives found themselves in opposition to the political system of Prague.²⁵

Thus in 1925, out of 57 Deputies elected in Slovakia only 17 supported the Government and accepted the political system imposed on Slovakia. In other words, 29, 81% were for the Government, and 40 Deputies or 70. 19% were in opposition.

A similar situation prevailed in Slovakia during the entire period of the existence of Czecho-Slovakia. Out of 1,645,803 voters in Slovakia during the 1935 election only 660, 640, i. e. 40% voted for the pro-government parties.²⁶

C.A. Macartney states: „The fact remains that the Government has been obliged more often than not to rule Slovakia against the wishes of most of its inhabitants, maintaining itself only by the expedients of restricting the powers of the self-governing bodies to within the narrowest possible limits, of filling the seats designated

²⁵ Aide-Mémoire sur l'existence de la République slovaque et sur la nécessité de conclure le traité de paix avec elle (Memorandum concerning the existence of the Slovak Republic and the necessity of a Peace Treaty with her), Paris 1946, p.22.

²⁶ The State's Statistical Bureau (Czechoslovakia), Parliamentary Elections in May 1935, p. 13. Regarding the above, see also a statement of John Urdny of March 31, 1938 in the Chamber of Deputies admitting indirectly the same facts. See also Paper Slovenský Denník, Bratislava, 1 April 1938.

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for „experts” with its own nominees and utilizing freely weapons of censorship and police supervision.²⁷ Also Hugh Seton-Watson came to the conclusion that it is impossible to state that the majority of the Slovaks would have supported Centralistic Czecho-Slovakia.²⁸

The ways of Prague forced the Slovaks to proceed to the separation from the Czechs because they had not given them the democratic and legal means to reorganize this untenable state. The Slovaks formed a minority in Parliament and thus they found no possibility to assert the just claims of the majority of the Slovak people.

No wonder that the Slovaks were resolved to take the first opportunity created through an international crisis to apply their right of self-determination, of which after the First World War they had been deprived through intrigues.

Emil Hácha, President of Czecho-Slovakia, did not hesitate to say: „For long it has been my conviction that the different nations (meaning the Czechs and the Slovaks) could not live together in this state.”²⁹

Through the decision of the Slovak Parliament on 14 th March 1939, Slovakia became independent. Due to this fact, the Slovak question became clearly an international one in every respect.

B. The Slovaks are resolved to regain their Independence.

It is clear that it is the persistent endeavour of the Czech imperialists to present the Slovak question as an internal Czech problem and as if it had no international aspect whatsoever. However, these tendencies cannot succeed as in spite of all the aggressiveness, intrigues or recklessness of Czech politicians, the Slovak aspirations for independence were not destroyed and it appears that the task of Czech politicians in this respect becomes harder every day. The Slovaks, both those at present enslaved at home, and those dispersed throughout the Free World in their majority continue to fight the regime introduced in Slovakia, having as their aim an independent Slovak Republic.

The Czecho-Communist authorities admitted at various instances the existence of an underground movement in Slovakia striving for an independent Slovak Republic. Fedor Hodža, on October 16, 1947,

²⁷ C.A. Macartney, Hungary and her Successors, p. 145.

²⁸ Hugh Seton-Watson, Eastern Europe between the Wars 1918-1941, p. 176.

²⁹ Emil Hácha, on 15 March 1939 in his discussion with A. Hitler. See: The Trial of the Major War Criminals, vol. 31, Doc. PS-2798.

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stated: "There were and still are in Slovakia individuals and groups who work against the state, its ideals and against the peoples regime. This is the fact which was anticipated by everyone who knows the political development of Slovakia already at the time when the foundations were being laid for the struggle for the restoration of Czechoslovakia."²⁰

The Czech periodical "Obzory" writes: "We cannot close our eyes to the fact that anti-state activities are taking place in Slovakia. They are being directed by two groups; the aim of the first is an independent Slovakia with a pro-West orientation; the second is striving for a wide autonomy with a pro-East orientation."²¹

Martin Kvetko has to admit that 80% of the Slovak population is for independence and only a constantly diminishing part of the intelligentsia is for the preservation of Czecho-Slovakia. As justification for his sympathies and work for the reconstruction of Czecho-Slovakia he offers the statement, that the Slovaks will anyway be forced by the big Powers to join Czecho-Slovakia and therefore it is unreasonable to do anything about independence.²²

The Communist speakers often attacked Slovaks because of their opposition to Czecho-Slovakia and their longing for independence. "In Slovakia there are people who believe that it is their main duty to agitate against the Czech nation, against the People's Democracy, against the Two-Year Plan, against the Soviet Union and the collaboration of Slavs." Clement Gottwald urges the taking of steps against those "who disrupt the Czecho-Slovak National Unity, undermine the authority of the State" and also against those "who today would like to return Slovakia to the past."²³

The foreign observers also confirm that the majority of the Slovak population insists on independence. F. A. Voigt states "When Europe will at last have been liberated, the Slovaks will surely proclaim their independence."²⁴ Without hesitation, the Slovaks are resolved to do everything to obtain independence to which they are entitled under the principles of democracy and international ethics.

²⁰ In the Constitutional National Assembly, 16 October 1937.

²¹ Obzory, Prague, November 22, 1947.

²² In his lecture of 30 May 1949 in London, Cannon Hall.

²³ Clement Gottwald in his speech in Devin, 5 July 1947. See: Clement Gottwald, *Za večnã bratstvo Cechã a Slovãkov* (For the Eternal Brotherhood of Czechs and Slovaks), p. 136 et seq.

²⁴ F. A. Voigt, *Be ye strong*, The Nineteenth Century and After, London, May 1946, p. 195.

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It is evident that the Slovak question since the First World War did not cease to be an international problem, appearing as such with different degrees of intensity at different times.

5. The Slovak Republic did not cease to exist legally.

A. International recognition of the Slovak Republic.

The Slovak Republic was established in peace time and without the violation of peace. The international crisis which developed in March 1939 did not lead to war. Since the first days of its existence the Slovak Republic proved to be built on a sound basis. And thus there were neither real nor factual objections towards immediate international recognition.

The Slovak Republic was recognized de jure by Hungary (15 March 1939), Poland (16 March 1939), Germany (16 March 1939), Italy (11 April 1939), Switzerland (19 April 1939), Spain (25 April 1939), Liberia (12 May 1939), Ecuador (17 May 1939), Costa Rica (24 May 1939), the Vatican (25 May 1939), Japan (1 June 1939), Manduria (1 June 1939), Yugoslavia (8 June 1939), Sweden (26 July 1939), Rumania (18 August 1939), Lithuania (11 September 1939), Bulgaria (16 September 1939), U.S.S.R. (16 September 1939), Estonia (11 April 1940), Latvia (13 April 1940), the Netherlands (15 April 1940), China-Nanking (1 July 1940), Croatia (1 July 1940), Finland (25 July 1940), Denmark (8 August 1940), France-Vidhy (25 April 1942), Siam (8 May 1943), Burma (3 August 1943).

Also the Slovak Republic was recognised de facto by Great Britain (4 May 1939), France (14 July 1939), Belgium (14 July 1939).

On the basis of the above recognitions, diplomatical relations were established between the Slovak Republic and Bulgaria, Croatia, Finland, Germany, Hungary, Italy, Japan, Poland, Rumania, Spain, Switzerland, U.S.S.R., Vatican. Consular relations were established with Belgium, Denmark, France, Sweden and the United Kingdom.

Not half a year after the establishment of the Slovak Republic, the Second World War broke out. It is plain, that under war conditions it was not possible for the Slovak Republic to diplomatically strengthen her position, which would have been the case in the normal years when recognition by further states and the deepening of existing relations would have followed.

From the above, we see that besides the recognition by the Berlin-Rome Axes and the neutral countries, recognition was also granted by the powers opposed to the Axes, i. e. the powers that became

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the founders of the United Nations. However, this did not prevent Edward Benes from making statements to the contrary. On March 13, 1943 in his broadcast from London he said: "Slovakia, after her separation from the Czech Lands, was not recognized by any powers except those of the Axes."²⁶

B. The consequences of the recognition.

Accepting the fact that the Slovak Republic was recognized by all her neighbors, which could have had some interest in the rejection of recognition, and also accepting the fact that she was not recognized only by the Axes States but also by the neutral and some United Nations states, we have also to accept the fact that the Slovak Republic became a member of the international community and a subject of international law. N. Politis, writes: "Nobody ever thought that a new state should be recognized by all countries in order to make the effects of recognition universal and nobody maintains that a state recognized by some of them is non-existent for others."²⁷

Taking into consideration that the international community until now has no central body, the recognition accorded by the majority is of general importance and extends its effects even over those by whom recognition was not granted.

No country refused to recognize Slovakia on the basis of denying the right of self-determination to the Slovaks. The United States of America did not recognize the Slovak Republic stating that Slovakia was occupied and ruled by Germany. Today, it is clear that this argument was based on wrong information and after the German capitulation in May 1945, it became absolutely invalid.

C. The Stimson Doctrine is not applicable in the case of the Slovak Republic.

The efforts for the stabilization of legal order put into effect by the Peace Treaties after the First World War were apparent mainly in the endeavor to eliminate war, which is irreconcilable with an international legal order. Out of this stems also the tendency not to recognize the facts which are opposed to legality. These ideas became

²⁶ Dr. E. Benes, *Six Years of Exile and of Second World War*, p. 197.

²⁷ N. Politis, *La Théorie de la reconnaissance (Theory of Recognition)*, p. 191.

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wide-spread due to the point of view of the United States of America (Stimson). They were accepted by the League of Nations and by the Latin-American States.

In applying the above principles, the non-recognition of the Protectorate Bohemia-Moravia is quite understandable. Through it the Czech people were deprived of freedom and one can call it a camouflaged annexation. But the case of the Slovak Republic is completely different. Here the above principles are not applicable whether we want to justify through them the non-recognition of the Slovak Republic or the continuity of Czecho-Slovakia. Their application would favor the continuity of injustice once committed against Slovakia and would be completely contradictory to the principles of political freedom. However, Cordell Hull maintains that "the non-recognition policy was still a moral force".⁷⁸

The tenth Article of the Covenant of the League of Nations guaranteed the political independence and territorial integrity of its members. No doubt this rule had to protect the member states against an attack from outside only but not against the interests of the population demanding freedom. The idea of a stable order should not restrict the free expression of the wishes of the population. A different point of view, would endanger freedom, would make illegal any change and would take us one and a half century backwards into conditions when legitimacy of absolute rulers dominated international relations.

No one can maintain that the political order of the world is ideal to the degree that it does not require improvements. No one can assert that the wishes of the population are everywhere respected. No one can expect that the advancement of human society can stop at the point which we have so far reached. No one can demand that a nation give up its right of freedom because of legalistic formulas. If we apply the theory of non-recognition to all new states, then no United States of America or any other state could have been born as the formation of any new state is inevitably in opposition to the existing legal order.

The Covenant of the League of Nations was not violated by the formation of the Slovak Republic, neither was the Briand-Kellogg Pact or any other international treaties. And consequently there is no reason for application of the Stimson doctrine in the case of the Slovak Republic.

⁷⁸ The Memoirs of Cordell Hull, p. 380.

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The events of March 1939 are satisfactory proof that Czechoslovakia ceased to exist due to internal reasons. The formation of the Slovak Republic as well as the formations of her first Government satisfy all valid principles of international law to the effect that the first government was not only a government de facto but also de jure.

It is clear that the Stimson doctrine of non-recognition cannot be applied to the case of the international disintegration of a state, especially if this disintegration came about as a result of the free actions and desires of the population; otherwise we would have to consider it reactionary and oppressive which could not coincide with the intentions of the United States of America, the League of Nations or other states of the American Continent.²²

D. The recognition of the Slovak Republic cannot be revoked.

Once recognition has been given, its revocation cannot have any effect upon the international legal order. A change of view cannot be of any consequence as long as the conditions which lead to recognition exist. This is valid as much in the case of recognition de facto as in the case of recognition de jure.

A de facto breaking-off of relations only means that the involved state does not wish to continue relations and not that the recognized state ceased to exist as a subject of international law. Thus the effects of the recognition are not cancelled.

In as much as the Slovak Republic was formed in peace time, and was recognized by many countries, it can legally cease to exist only through a treaty in which its liquidation is established. Until such time the Slovak Republic should be considered as a territory occupied by the Soviets and the Czechs.

This is valid, especially as the Slovaks are not willing to give up their independence. This was the point stressed by Dr. J. Tiso, President of the Slovak Republic, in his speech to the Slovaks in April 1945: "The Slovaks at home and abroad know that their legal representatives today are abroad and those who at present act as rulers at home are only usurpers of power aided by the Bolsheviks.

The Slovaks are loyal to their own Slovak state and its six year's existence remains a living memory in their hearts and will help them

²² Aide-Mémoire sur l'existence de la République slovaque et sur la nécessité de conclure le traité de paix avec elle, p. 40 et seq.

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to get through all the struggles in regaining their independence. We will continue to work, you at home and we abroad, until the Slovak aspirations will be generally accepted and recognized."³⁹

Sir John Fisher Williams can be quoted on the attitude of those who wish to act as if the Slovak Republic had never existed: "The master of knowledge, Aristotle, taught his school that a Greek poet had reason to believe that the only thing which surpassed Divine Power was to make the existent things as if they had never existed."⁴⁰ That is why all those who do not wish to take account of the existence of the Slovak Republic and to deduce the necessary consequences out of this reality ought to be careful not to attribute to themselves a power greater than that of the Divinity.

E. The enslavement of Slovakia cannot be justified.

A modern conception of a state does not tolerate oppression of one nation by another. "As far as the right of conquest is concerned, it has no other foundation except the law of the strongest. War does not give to the conqueror a right to massacre the conquered, and cannot serve as a foundation for their enslavement."⁴¹ Even if the Czechs or the Slovaks would hold different attitudes in a war, it should not be forgotten that the freedom of people is not negotiable merchandise. "The day will come", said the historian Huizinga, "when we will realize that we cannot barter countries and nations or engulf them because they were conquered by force of arms or because they were temporarily ruined."

It should be stressed that men and nations cannot be treated as inanimate objects. Not even the states which are held responsible for the war and which lost the war are liquidated. The victory over Napoleon did not mean the end of France and after the First World War, Germany, Austria and Hungary did not cease to exist. There is no reason why Slovakia should be treated worse than Hungary, Bulgaria, Rumania, Finland, Austria, Italy, Japan and Germany. And there is no reason, why "unconditional surrender" should have worse consequences for the Slovaks than for other nations.

Even if there were military reasons for a favorable treatment of the Czechs and for the punitive action against the Slovaks, such pro-

³⁹ President Joseph Tiso in his broadcast from Kremsmünster, Austria, April 1945.

⁴⁰ Sir John Fisher Williams, *La Doctrine de la reconnaissance en droit international et ses développements récents*, p 210.

⁴¹ Jean Jacques Rousseau, *Du contrat social*, Book 1, Chap. 4

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cedure could only result in economic concessions to one and material charges against the other but not in complete subjugation of one nation by the other.

The exploitation of Slovakia during the first Czecho-Slovak Republic (1918—1938) proves that no economic charge imposed upon the Slovak Republic under the form of reparation could be more detrimental to the standard of living in Slovakia than the incorporation in Czecho-Slovakia.

According to the declarations of the representatives of the United Nations during the Second World War, the war was waged for the ideal of liberty and for the principles of democracy. The Secretary of State, Cordell Hull proclaimed in his speech of July 23, 1942: "The pledge of the Atlantic Charter is of a system which will give every nation, large or small, a greater assurance of stable peace, greater opportunity for the realization of its aspirations to freedom and greater facilities for material advancement."

President F. D. Roosevelt in his message to Congress on August 25, 1943 states: "The goal of the United Nations is to permit liberated peoples to create a free political life of their own choosing and to attain economic security."⁴²

The victorious powers made solemn pledges to fulfil and protect the rights of nations and not to hinder their realization. Not even unconditional surrender gave title to victorious nations to do wrong and to ignore natural rights. Not even lost war could destroy the right of the Slovaks to Independence. Vattel points out: "Natural law does not agree with an oppression."⁴³

The Slovak Republic, defeated in war, in contradiction to international law, is considered as part of a victorious power, so that through this paradox she can be made an object of imperialistic tendencies. In the name of Freedom and Democracy, Slovakia was forced into subjugation. In contradiction to all valid and generally recognized rights and principles.

Slovakia obtained the worst treatment one can imagine. Not even the hardest conditions of a peace treaty could be so detrimental to Slovakia as the unlawful position of today. It is a position which was not forced on any defeated nation and it is absurd to expect that the Slovaks will consider it a favour.

⁴² Documents on American Foreign Relations, vol. 5, p. 199.

⁴³ E. Vattel, *Le droit des gens* (International Law), IV, paras. 36-38.

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No solution of political problems, after a revolution of such an extent as the Second World War, can be achieved by the reinstatement of an old injustice. Only the application of the principles of justice can guarantee the stability and peace. It cannot be achieved by imposing conditions abhorred by nations.

F. The Slovaks should be heard.

The administration of justice is incomprehensible without ascertaining the wishes and views of the population according to the rule "audiat et altera pars". Why should we be satisfied with a lesser degree of objectivity in international relations than in judicial procedures, where this rule is stressed with all its consequences. This principle is applied in criminal procedure, capital offences not excepted, and there is no reason why it should be omitted in the case of a nation even of a small nation like the Slovaks.⁴⁴

The injustice against Slovakia is not only due to the neglect of the generally recognized principles but more to the fact that there was no one who would raise his voice against the system which opposed and veiled the truth. Kaedckenbeek's words can be applied to the case of the Slovak Republic: "There is something more dangerous to peace than injustice; it is the spread of the belief that the interests of people were damaged without their being able to expect a remedy and without their being given an opportunity to discuss the imposed injustice."⁴⁵ It is a tragic characteristic of the international order that those who proclaimed themselves defenders of democracy did not allow the Slovaks to express their views, did not allow them to say "No".

It was the representatives of foreign interests, the men of Moscow and Prague, forced upon Slovakia by the Red Army, who interpreted Slovak desires. The real representatives of Slovakia were not heard. However, no one in this world has sufficient powers to silence truth, to ignore law or to maintain inequity forever. It is possible to enslave people but it is impossible to stop their resistance against the oppressor in their desire for freedom, independence and a higher standard of living. Thus the resistance of the Slovaks against the reinstatement and preservation of the Czecho-Slovak Republic has not ended.

⁴⁴ Aide-Mémoire sur l'existence de la République slovaque et sur la nécessité de conclure le traité de paix avec elle, p. 45 et seq.

⁴⁵ G. Kaedckenbeek, De la guerre à la paix (From War to Peace), p. 38.

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Dr. Juraj Šujan made the following statement in the People's Court on March 17, 1947: "They (the representatives of the Slovak Republic) left Slovakia with the intention of working abroad for the restoration and recognition of the Slovak Republic. The accused, Dr. Duřanský continues to work abroad for this cause and if Dr. Tiso had been successful to get abroad safely, he would still consider himself President and would continue to work with Dr. Duřanský."⁴⁸ His statement was supported by a proclamation of Dr. Tiso during his trial in the People's Court on December 18, 1946: "I maintain the idea of the Slovak State."

On the above basis, a Memorandum on the existence of the Slovak Republic and the necessity of a Peace Treaty with her was presented to all the members of the United Nations and to all those present at the Paris Conference (1946), held for the purpose of concluding the Peace Treaties with Italy, Hungary, Rumania, Bulgaria and Finland. In it the Slovak request for the conclusion of a Peace Treaty, with the Slovak Republic, was formulated.

In 1951 the Slovak Liberation Committee approached the General Assembly of the United Nations with a request that the future of the Slovak Republic be decided by a Peace Treaty which would put an end to the state of war existing between her and the U.S.S.R. This request was made by the Slovak Liberation Committee, the body authorized by the Parliament Presidency of the Slovak Republic under Article 37, paragraph 2 of the Slovak Constitution.⁴⁹ The state of war did not cease to exist between the Slovak Republic and the U.S.S.R. and Slovakia is today to be considered as a temporarily occupied territory.

The Slovak Republic did not cease to exist, as even persecution of an extent to which it is hard to find a comparison in history, could not destroy the Slovak longing for freedom and their deter-

⁴⁸ The Slovak Information Agency on the procedures in the People's Court in Bratislava against President Joseph Tiso, Ferdinand Duřanský and Alexander Mach.
⁴⁹ Article 37, part 2 of the Constitution of the Slovak Republic provides: "If the Government resigns when the President's Office is vacant, upon the resignation of the Government and on the temporary conduct of Governmental Affairs decides the Presidency of the Parliament." In summer 1945, the President Joseph Tiso, Premier Stephen Tiso and almost all ministers were detained by the United States Military Authorities and extradited to the Occupation Authorities in Slovakia, where they were tried by the People's Courts and were either murdered or are still imprisoned. In view of this, it is right to maintain that conditions arose which in accordance with the above article of the Constitution gave powers to the Presidency of the Parliament to decide upon the conduct of Governmental Affairs.

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mination to secure their rights. The Slovak Republic did not cease to exist, because it could only so happen in contradiction to the principles of international law and natural rights whose validity no one can question. She did not cease to exist because nine years after the Second World War, the political problems which caused it are not solved, the Peace Treaties are not concluded, but instead, new conflicts arose which are a reminder that a generally acceptable and just system should be established in order to avoid a new catastrophe in a third World War.

6. The Slovak question cannot be an internal question of a non-existent State.

A. Czecho-Slovakia ceased to exist as an independent State.

If one is to make an unbiased and realistic statement, one has to admit that today Czecho-Slovakia does not exist as an independent State. Czecho-Slovakia was fictitiously restored through many diplomatic intrigues during the Second World War and mainly through the intervention of the Red Army, by which the population of Slovakia was ravished in 1945. In reality, Czecho-Slovakia was not a fully independent state. Its independence was being gradually more and more restricted both internally and internationally and finally in February 1948, its independence was completely liquidated.

Today we know a territory called Czecho-Slovakia. It has no Government which could make free decisions. The Government which figures as the government of Czecho-Slovakia has no powers to act or decide freely. This applies to international, internal, political, economic as well as cultural matters. All decisions including those on any Slovak question, are made in Moscow. Prague is only a tool for the fulfilment of Moscow's orders. Without question every order of the Kremlin has to be carried out.

The powers of those acting as members of the Czecho-Slovak Government do not originate from the population. They obtained their posts by the grace of the U.S.S.R. to whom they are responsible and who reserves the right to dismiss them when her interests require her to do so. They do not protect the interests of the population and the population does not trust them.

If we still hear the name "Czechoslovakia", this name does not denote a state but only a territory over which the U.S.S.R. exerts its sovereignty. The name is kept at least temporarily, as it helps the interest of the Soviets in camouflaging their aims and deceiving the public. As Czecho-Slovakia ceased to exist as an independent state

it appears absurd to talk about the Slovak question being an internal affair of a non-existent Czechoslovakia. If one approved of Slovakia being under the domination of the Kremlin, then perhaps one could talk about the Slovak question as being an internal matter for the U.S.S.R. but not for a Czechoslovakia.

B. The independence of Czechoslovakia was abolished with the consent of her competent representatives.

Far-reaching restrictions of the independence of Czechoslovakia were effected in 1945, still prior to its restoration, at the time when the intervention of the Red Armies to help her restoration was made dependent on the formation of a Government with a program plausible to Moscow. This interference of Moscow was approved by all representatives at that time, including Edward Benes and representatives of all political parties which were allowed to be formed in the future state. The independence of Czechoslovakia completely ceased with the decision of Edward Benes who was considered to be her President. The program of Clement Gottwald, who was made Premier in 1946, was approved on March 11, 1948 by the Constitutional Assembly, by 230 votes out of the total number of 300. Thus the majority of competent representatives approved of the loss of independence in favor of the complete Soviet rule. Therefore Czechoslovakia, as an independent State ceased to exist with the approval of her official representatives.

Considering the above it appears strange to talk about the future liberation of Czechoslovakia. It would be more appropriate to be concerned about the new settlement of the affairs of the nations living in her territories.

C. The old injustice should not be repeated.

The strivings of the Free World are directed towards the liberation of the nations behind the Iron curtain. They are thus directed towards the reorganization of the political and territorial status quo. It would be, however, unreasonable to have an unjust status quo replaced by another injustice.

J. Smutný maintains that "the Czechoslovak union is our own internal problem" but thinks it necessary to modify this by adding "but is of no small international importance". "There are many projects and plans which anticipate a reorganization of the conditions in Central Europe. Some respect the Republic, others plan her

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partition. Slovakia is of interest to all her neighbours, whether it is Hungary, Poland, Russia or Germany."⁴⁸

The associates of Edward Beneš plan a new enslavement of Slovakia and it would suit their purpose to have the Slovak question reduced to an internal problem of a non-existent Czecho-Slovakia. This Czech approach means nothing but the claim to perpetuation of an old injustice. It means that the Czechs in future want to rule over Slovakia for no other reason except that they succeeded in deceiving the diplomats concerned in 1919 and in the devastation and subjugation of Slovakia by the Red Armies in 1945. Their attitude is a claim to recompense for a crime, and its acceptance is in contrast with international ethics, which cannot be abandoned if we want to secure peace and justice throughout the world.

There is no Czecho-Slovak question. There is only the one-sided desire of the Czech imperialists to rule Slovakia.

No legal, political or moral reasoning can justify Czech imperialism or force Slovaks to live under a Czech rule. It is in the interest of freedom, justice and peace that the Slovaks ask for support of all free nations to make valid in their case the principles of democracy and self-determination recognized by all but so far denied to the Slovaks.

7. The Czechs in their own interest should cease encroachment of Slovak Independence.

In cases where a ruling nation has sufficient moral standards to execute its duties, its dependent territories can gain independence through a mutual agreement without revolution and without provoking an international crisis. Independence was gained in this way in the case of Norway, Iraq, Iceland, the Philippines, India, Pakistan, Burma as well as in the case of Canada, South Africa, Australia, New Zealand, Ceylon etc. Under such a settlement, nations if previously unfriendly, regained mutual confidence and new possibilities for cooperation were created.

The British fighting subjugated Eire and gave it freedom. The British overran the Boer Republics, added to them some of their own colonies and gave them independence without fighting and pressure on their own initiative!... And the result? In 1914 the

⁴⁸ Doklady a rozpravy (Documents and Discussions), London, Nov. 1952, p. 5.

Boer General Smuts, who before had fought against the British, fought now on their side through his own wish, fighting against the Germans. And in 1939 the same Smuts, as Premier, declared war against Germany, being on the side of the British. It would help our future national interests to take a lesson from this.**

The Czechs should take a lesson from the above even more, because their desire to rule over Slovakia has no historical, political or moral basis. It stems only from egoism and exaggerated chauvinism. The Czechs being a small nation negate the moral principle, which can be the only basis and justification of their own independence.

When a dominating power is not willing to give up its unjustified rule, unfriendly relations are created between nations and often a crisis or war results. The desire of the Slovaks for independence is evident and without a doubt they are determined to make it internationally carry through. Their action in 1938, 1939 and since 1945 proves this.

It is in the interest of the Czech imperialists to cover up the reality by false statements and intrigues. The reality itself cannot, however, be changed by the Czechs, as the Slovaks are determined to achieve their goal and will not miss any opportunity in this respect. From the above circumstances it appears that the relations between the two neighbors cannot be on a sound basis, which would otherwise have been in their mutual interest. No doubt, it was the shortsightedness and greed of the Czech politicians, determined to rule over Slovakia at any price, which caused the creation of the Protectorate Bohemia-Moravia of 1939 and also of the present communist Protectorate.

The Czech imperialism which would not approve even of autonomy for Slovakia led to the intervention on the 9th of March, 1939, which was used by Adolf Hitler as a pretence for his action against the Czechs and for the annexation of Bohemia and Moravia under the name of a Protectorate. During the Second World War, Edward Beneš' obsession, to rule Slovakia, made him lean more and more towards the Soviets. This was one of the reasons why, on December 12, 1943, he hastily concluded the Treaty of Friendship for mutual aid and post-war co-operation with Moscow. He admitted this in his broadcast from Moscow on December 21st, 1943, "This

** Mr. R. Kopecký in periodical *Národ*, London, November 30, 1948.

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agreement, with all other results of this war, will forever prevent repetition of the separation of Slovakia from the Republik.⁴⁰ During the war and after the war, Edward Benes had to pay dearly for the help of Moscow in the seizure of Slovakia and in the end Czecho-Slovakia thus created, was not an independent state but a province of the U.S.S.R. The Czechs did not prove to be worthy of freedom, as they did not respect the freedom of the Slovaks. The two catastrophes should be a sufficient lesson for the Czechs to give up their imperialistic tendencies. Otherwise the past events may repeat themselves.

There are many Czechs who recognize the international aspect of the Slovak question. For example, the Czech National Council in London, headed by General Leo Prchala, rejects the tendencies leading to the rebuilding of Czecho-Slovakia, recognizes the right of self-determination and independence for Slovakia. "Anyone who recognizes the existence of the Slovak nation has to admit that only Slovaks can express their wishes. We, Czechs, are fighting for a new Czech State. The imperialistic tendencies which were apparent in centralistic Czechoslovakia, resulted not only in the negation of the right of self-determination of other nations but also caused heavy damage to our own nation. Not only should we give up enforcing upon Slovaks the idea of a centralistic Czechoslovak Republic, but without hesitation, we should recognize their right of self-determination."⁴¹ "The Independence of the Czechoslovak Republic can only be restored against the will of the majority of the Slovak nation", admits the Czech periodical "Integral".⁴²

This trend is gaining more and more ground among the Czech refugees who admit that it is poor logic to fight for one's own freedom and at the same time to deny it to the Slovaks.

There is every reason for considering the Slovak question as an international one, with all the resulting consequences. This is more than ever the case as after the liberation of the enslaved part of Europe a new and just basis for reorganization will be required in order that permanent peace may be insured.

⁴⁰ Dr. E. Benes, *Sex let exilu a druhé světové války* (Six years of exile and of Second World War), p. 228.

⁴¹ Periodical *Český boj* (The Czech Fight), London, November 1, 1949.

⁴² Periodical *Integral*, Bad Reichenhall, September 16, 1949.

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Contents

FOREWORD

1. *The Slovak Question became an international one during the First World War and since then it did not cease to be so.*
 - A. *After the First World War Slovakia was incorporated in Czecho-Slovakia against the ethnic principle and against the right to plebiscite.*
 - B. *After the Second World War with a Free Plebiscite Slovakia would have chosen to be an Independent State.*
2. *By non-compliance of the Pittsburgh Agreement the Slovak Question did not become an internal Czecho-Slovak question.*
 - A. *The Pittsburgh Agreement was a consequence of Czech obligations to the United States of America.*
 - B. *Pittsburgh Agreement did not bind Slovaks.*
 - C. *After the Czechs had failed to fulfil their obligations the Slovaks were free to make new decisions.*
3. *The League of Nations should have remedied the injustice brought upon the Slovaks by the Peace Conference.*
 - A. *After the First World War the Peace Conference passed a decision on Slovakia without lending an ear to the Slovak people.*
 - B. *The representatives of the United States of America promised correction of injustices.*
4. *The continuous resistance of the Slovaks against Czecho-Slovakia.*
 - A. *Since the existence of Czecho-Slovakia the majority of the Slovak population formed an opposition.*
 - B. *The Slovaks are resolved to regain their Independence.*

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5. *The Slovak Republic did not cease to exist legally.*
 - A. *International recognition of the Slovak Republic.*
 - B. *The consequences of the recognition.*
 - C. *The Stimson Doctrine is not applicable in the case of the Slovak Republic.*
 - D. *The recognition of the Slovak Republic cannot be revoked.*
 - E. *The enslavement of Slovakia cannot be justified.*
 - F. *The Slovaks should be heard.*

6. *The Slovak Question cannot be an internal question of a non-existent State.*
 - A. *Czecho-Slovakia ceased to exist as an independent State.*
 - B. *The independence of Czecho-Slovakia was abolished with the consent of her competent representatives.*
 - C. *The old injustice should not be repeated.*

7. *The Czechs in their own interest should cease encroachment of Slovak Independence.*



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Statements

OF THE SLOVAK LIBERATION COMMITTEE (former Slovak Action Committee)

Aide-Mémoire sur l'existence de la République Slovaque et sur la nécessité de conclure le Traité de Paix avec elle, 1946.

Aide-Mémoire sur la nécessité du plébiscite en Slovaquie, 1946.

Memorandum presented to the Peace Conference concerning the rationality of existence of Czecho-Slovakia, 1946.

Petition to the Security Council of the United Nations, 1946.

Address to the Council of Foreign Ministers, 1946.

Plea to the Senate of the United States of America concerning the ratification of Peace Treaties signed and of those to be signed by Czecho-Slovakia, 1947.

Plea concerning the Slovak Question presented to his Excellency Mr. Harry Truman, President of the United States of America, 1947.

Petition concerning the Slovak Situation and the realization of the Plebiscite in Slovakia presented to the General Assembly of the United Nations in Paris, 1948.

Petition to the United Nations in the Trial of Dr. Josef Tiso, President and other Representatives of the Slovak Republic, 1947.

Appeal concerning the deportation of the Slovak population by the Soviet Authorities presented to the Economic and Social Council of the United Nations, 1947.

Appeal to the Economic and Social Council of the United Nations concerning the deportation of the Slovak population in Sudeten by the Czechs, 1947.

Denunciation of the Crimes committed by the Czechs and the Communists against the Slovak Children presented to the Economic and Social Council of the United Nations, 1948.

Open Letter to the Representatives of the Members of the United Nations, 1947.

Notification of the punishable actions against Humanity and Fundamental Rights of Man committed by the helpers of International Communism in Slovakia to the Economic and Social Council of the United Nations, 1948.

Appeal addressed to the General Assembly of the United Nations petitioning the creation of a Commission to investigate the Religious persecution in Slovakia and the Expulsion of Czecho-Slovakia from the United Nations, 1949.

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