

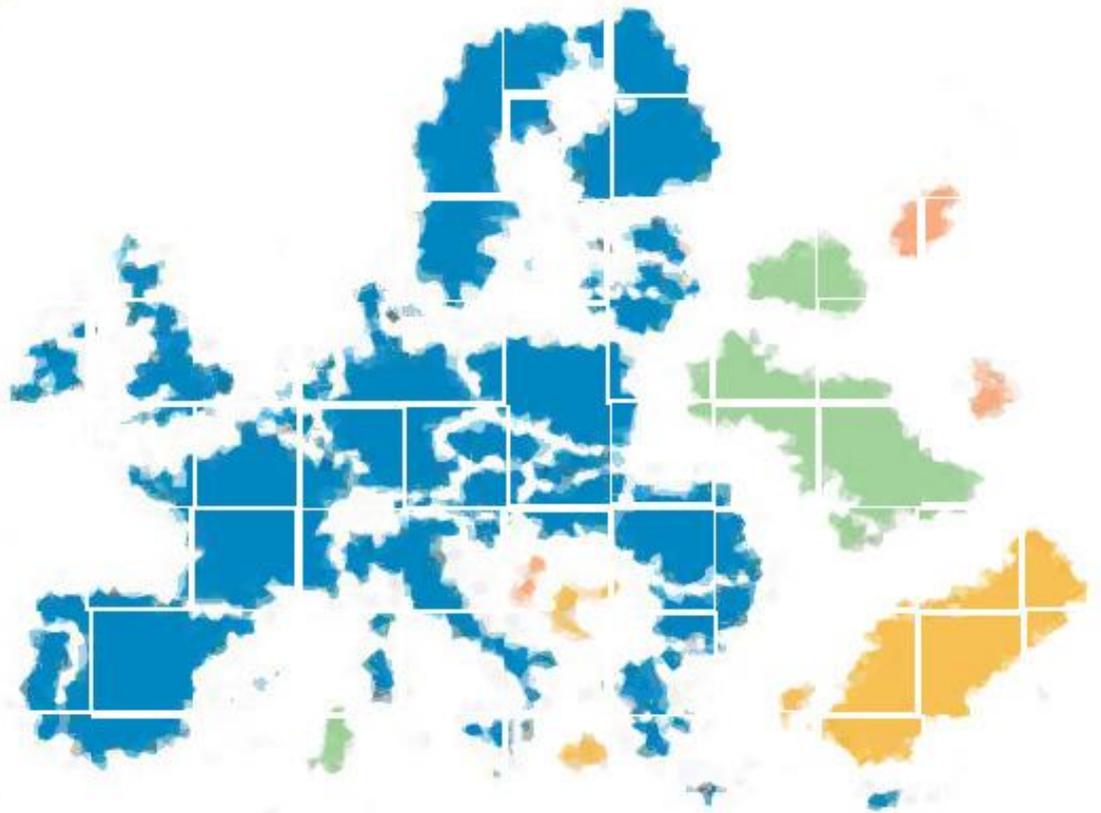
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A Troublesome Idea: the Conceptual History, the Present and the Future of Self-Determination

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Introduction

The purposes of the United Nations are:

[...] 2. to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;¹

– so speaks one of the beginning paragraphs of the Charter of the United Nations, inscribed on paper back in 1945. When it comes to the concept of ‘self-determination’, one could immediately detect both the positive and the negative aspects of this highly debated notion in the text. While it recognizes the ‘principle’ as one of the foundations of ‘universal’ peace, there is no exact definition provided – not even for those groups of ‘peoples’ that are referred to.

These ambiguities have always been present in the discussions concerning the applications of self-determination. I argue that that version of the concept that became determinative in international politics was essentially a revolutionary one designed and utilized by the Bolsheviks of Lenin to destroy the old world order. While the establishment made attempts to adapt and use self-determination for its own sake, trying to re-formulate it as a state-based idea, it could not neutralize its destructive nature. Thus, international order tends to merely accept the uses of national self-determination when it comes to ethnic populations, which makes this almost an illusionary right that only works in retrospective. As opposed to this, the active adherents of this notion are basically arguing for the causes of revisionism. In my view, the recent events in Eastern and South-Eastern Europe are clear indicators of these tendencies.

To prove my point, I will look through the conceptual history of self-determination before the First World War in the first chapter. This will be followed by the examination of the notion’s evolution during the transformative period of 1917–1918. Finally, I will observe and evaluate the attempts of applying the notion to the international political scenes of the 20th century.

From the Centre to the Left: the Appearance and the Evolution of the Idea

One of the ways to approach the history of self-determination is to look at its development as a certain, already defined idea: that national communities have the right to govern themselves. This notion had its origins in the Middle Ages. On the one hand, a Christian concept of state sovereignty already existed in this period, on the other, it was the Pope Innocent IV who already applied this theory also to the non-Christian world. The Spanish jurist and theologian Francisco Vitoria developed this theoretical line in the 16th century into an

¹ Charter of the United Nations. <http://www.un.org/en/sections/un-charter/chapter-i/index.html> Date of Last Download: 21. 01. 2019.

interesting direction, arguing for the emancipation of Latin American natives to the European colonizers.²

A turn took its course with the dawn of the Enlightenment that separated the idea of self-determination from the Church. From this point on, the rights of 'nations' became a topic in of discussion in reason-based natural law. Additionally, theoreticians replaced the former Christian preconditions with a standard of civilization expected from communities. By the 19th century, the idea became dominant that 'nation', this association defined by territorial, racial, linguistic and mental criteria should form the new basis of the international legal order.³ The Great French Revolution was the event that provided a practical example for the vindication of the right of nations to choose their allegiances.⁴

Yet, I personally find such an evaluation of the concept somewhat limited as it does not deal with the evolution of the *actual* term of self-determination. As for the latter, the English expression is in fact a direct translation of the German *Selbstbestimmung*.⁵ This notion appeared in the thinking of the local representatives of the Enlightenment. As such, the concept originally referred to the individual's struggle to fulfil his or her needs in opposition to the limiting circumstances set by nature – a fight that could have been waged through co-operations within national and international communities.⁶ 'Self-determination' in its national sense only started to become dominant in the liberal and leftist discourses of the 1860s.⁷

As such, the notion was referred to locally in the cases of the German and Italian processes of unification and applied in connection to the peoples of the Balkans fighting for their independence from the Ottoman Empire.⁸ In the world of traditional diplomacy decided upon by elites and rulers, the interests of masses did not matter much – even though they increasingly became points of reference in international politics. Such was the case with the last great peace conference before the First World War, that of Berlin in 1878 as well. As scholarly analysis pointed it out, while the idea of national self-determination was referred to, in practice, the decision-makers arranged the matters of the

² Karl Shoemaker, "World War I, Self-Determination, and the Legacies of Medieval Jurisprudence.," no. 15 (2014): 61-62., 67.

³ Shoemaker, 68-70.

⁴ Derek Heater, *National Self-Determination. Woodrow Wilson and His Legacy*. (Palgrave Macmillan, 1994), 4.

⁵ Betty Miller Unterberger, "The United States and Self-Determination: A Wilsonian Perspective" 26, no. 4 (Fall 1996): 926.

⁶ Eric D. Weitz, "Self-Determination: How a German Enlightenment Idea Became the Slogan of National Liberation and Human Right" 120, no. 24 (April 2015): 473-478.

⁷ Jörg Fisch, *The Right of Peoples of Self-Determination. The Domestication of an Illusion* (Cambridge University Press, 2015), 118.

⁸ Arnulf Becker Lorca, "Petitioning A Pre-History of Self-Determination." 25, no. 2 (2014): 550-551.; Shoemaker, 70.

Balkan with respect to their own interests, neglecting even basic facts in the process – such as the mixed nature of ethnic conditions in the area.⁹

It is important to emphasize that the contemporaries looked at the concept as one being deeply intertwined with others. For instance, Wilhelm Liebknecht – a politician of the German Social Democratic Party – displayed the native term of *Selbstbestimmung* alongside foreign expressions in his 1909 *Volks-Fremdwörterbuch* as the author attempted to explain the latter to his audience. In the dictionary, ‘self-determination’ appeared to be a synonym of both the alien ‘autonomy’ (*Autonomie*) and the German ‘self-government’ (*Selbstverwaltung*), with these being understood as the ‘political independence’ (*politische Selbständigkeit*) of a certain territory (*Landestheil*) or community (*Gemeinde*).¹⁰

These ambiguities became especially important in a short while after contemporary Marxism took up the course of the notion in its attempt to rebel against and transform the existing world order. It was its London International Congress of 1896 that first proclaimed openly that the right of self-determination (*Selbstbestimmungsrecht* in the original text) should be applied to the national structure.¹¹ Yet, the concept was to become extremely debated when it comes to the discourses of the diverse multi-ethnic empires of the East: Austria–Hungary and Russia.

This was the point that marked an essential break within the Marxist camp concerning their conceptual tools in thinking of their contemporary world. The so-called ‘Austro-Marxists’ of Karl Renner and Otto Bauer proclaimed that national communities were entitled to self-determination in the form of cultural and economic autonomy. In line with this, the Leftist politicians preferred to preserve the existing imperial frameworks – most importantly, that of the Habsburg Monarchy. Conversely, the leader of the Russian Bolsheviks, Vladimir Ilyich Lenin argued for a self-determination that essentially meant the right of ethnicities to form new, independent nation-states – thus, to secede from and disrupt old empires. While the Austro-Marxist interpretation saw nation as a cultural entity, the Bolshevik understanding of the notion involved a concept of territoriality, meaning that a certain community was entitled to the rule of the land it inhabited.¹² These ideas had their profound effects in the transformative period that was about to come: that of the Great War.

⁹ M. Hakan Yavuz and Peter Sluglett, “Introduction. Laying the Foundations for Future Instability.,” in *War and Diplomacy. The Russo-Turkish War of 1877-1878 and the Treaty of Berlin.*, ed. M. Hakan Yavuz and Peter Sluglett, Utah Series in Middle East Studies (The University of Utah Press, 2011), 4.

¹⁰ Wilhelm Liebknecht, *Volks-Fremdwörterbuch* (Stuttgart, 1907), 53.

¹¹ Unterberger, 926.

¹² Zoltan Tarr, “Ethnicity, Nationality, and Nationalism in Early Austrian-Hungarian Social Science,” in *Surviving the Twentieth Century: Social Philosophy from the Frankfurt School to the Columbia Faculty.*, ed. Judith Marcus (Transaction Publishers, 1999), 100-101.

‘Order’ versus ‘Movement’ (1917–1918)

Naturally, the diplomatic schemes of the Great War followed the tradition of power politics: the opposing camps of the Entente and the Central Power signed secret treaties and made hidden plans with regards to the future of Europe and the World. The key moment that initiated a transformation in connection to these schemes was the February Revolution of the tsarist Russia in 1917. Under the influence of the Marxist parties, the new Provisional Government of the empire openly adhered national self-determination as a basic principle of international politics as opposed to the traditional politics of conquest in its proclamation of 9 April 1917.¹³

As Arno J. Mayer argues in his book *Wilson vs. Lenin* of 1969, these events brought a new dynamism into the ideological struggle between the political forces of ‘order’ and ‘movement’. With the take-over of revolutionary forces in the country whose governments once leaned towards being the most conservative out of the Great Powers, the proponents of new diplomacy and democracy could finally have a solid foundation to rely upon. This naturally meant that anti-war and anti-establishment forces became increasingly stronger, placing pressure on contemporary governments.¹⁴ While I see Mayer’s point that there was indeed a struggle between ideological forces during the course of the war, I would argue that instead of ‘movement’ – that is a term loaded with positive connotations –, one could rather talk about forces of ‘revisionism’ on the longer run that aimed – and have aimed – at a radical reformulation of the existing order.

As opposed to the importance of these developments, I argue that in search of grand narratives based on important key figures of these times, historical studies of self-determination tend to neglect the internal discussions of the notion initiated by the first Russian Revolution. These should be all the more important to look at as many of these were actually in line with the existing political structures of the world. The finest example of this phenomenon was the Austrian part of the Habsburg Monarchy, where the unsatisfied nationalities immediately made use of the principle of ‘self-determination’ in their arguments for imperial reform in 1917. Along with the Austrian Social Democrats, the latter aimed at establishing an equal relationship in terms of law and administration between the constituent peoples of Austria–Hungary through the democratization and the federalization of the empire. Importantly, the related calls of the politicians respected the position of the Habsburg dynasty and the imperial framework provided by their rule.¹⁵

When one looks at their contemporary speeches in the Austrian Reichsrat, it becomes apparent that these representatives called upon the concepts of

¹³ Erez Manela, *The Wilsonian Moment*. Oxford Studies in International History (Oxford University Press, 2009), 37.

¹⁴ Arno J. Mayer, *Wilson vs. Lenin: Political Origins of the New Diplomacy 1917–1918*. (Meridian Books, 1969), vii., 76.

¹⁵ Manfred Rauchensteiner, *The First World War and the End of the Habsburg Monarchy, 1914–1918*. (Böhlau Verlag Wien – Köln – Weimar, 2014), 710–711.

‘autonomy’ and ‘self-determination’ side by side.¹⁶ While there was a connection between newly used notion of self-determination and that of ‘sovereignty’ aimed at the creation of national statehoods, the latter were imagined to be sub-territories of the imperial framework. At the same time, the parties of nationalities still made extensive use of arguments based on the former historical state rights (*Staatsrecht*) of once-independent, now-provincial entities (the Kingdom of Bohemia, Croatia etc.).¹⁷ On the other hand, many had other view-points on these subjects. Some argued that the regulations of the Cisleithenian law had already safeguarded the equality of nationalities and allowed the vindication of self-determination for all nationalities.¹⁸

It is also true that a strong resistance also appeared to the idea of federalism in the image of the all-German parties who rather argued for the creation of the centralized Austrian state (*Gesamstaat*) as opposed to the ideas of federalism.¹⁹ At the same time, the representatives of the German-inhabited Bohemian territories also called for their territorial autonomy in the name of self-determination as opposed to the demands of Czechs, as the latter argued for the creation of a sovereign state based on the historical rights of the so-called ‘Bohemian Crown’.²⁰ Ultimately, these Germans aimed for the creation of a separate province of theirs (*Deutschböhmen*) within the framework of the Habsburg Empire.²¹ Upon these examples, one could rightfully argue that although it was highly debated, self-determination was in fact compatible with

¹⁶ For an example, see the speech of Alexander Kolessa (The Groups of Representatives of Ukrainians, Galicia) in the *Reichsrat* on 12 July 1917. *Stenographische Protokolle des Abgeordnetenhauses des Reichsrates 1861–1918. XII. Legislaturperiode, XXII. Session: 30. 05. 1917 – 12. 11. 1918.* <http://alex.onb.ac.at/cgi-content/alex?aid=spa&datum=0022&size=45&page=1867> Date of Last Download: 28. 02. 2019.

¹⁷ For an example, see the speech of Bohumír Bradáč (Czech Agrarian Party) in the *Reichsrat* on 12 July 1917. *Stenographische Protokolle des Abgeordnetenhauses des Reichsrates 1861–1918. XII. Legislaturperiode, XXII. Session: 30. 05. 1917 – 12. 11. 1918.* <http://alex.onb.ac.at/cgi-content/alex?aid=spa&datum=0022&size=45&page=2009> Date of Last Download: 28. 02. 2019.

¹⁸ The speech of Stanislaus Dnistriaňskij (The Groups of Representatives of Ukrainians, Galicia) in the *Reichsrat* on 3 July 1917. *Stenographische Protokolle des Abgeordnetenhauses des Reichsrates 1861–1918. XII. Legislaturperiode, XXII. Session: 30. 05. 1917 – 12. 11. 1918.* <http://alex.onb.ac.at/cgi-content/alex?aid=spa&datum=0022&size=45&page=1576> Date of Last Download: 28. 02. 2019.

¹⁹ The speech of Julius Sylvester (German National Association) in the *Reichsrat* on 26 September 1917. *Stenographische Protokolle des Abgeordnetenhauses des Reichsrates 1861–1918. XII. Legislaturperiode, XXII. Session: 30. 05. 1917 – 12. 11. 1918.* <http://alex.onb.ac.at/cgi-content/alex?aid=spa&datum=0022&size=45&page=2169> Date of Last Download: 28. 02. 2019.

²⁰ The speech of Julius Roller (German National Association/German Radical Party, Bohemia) in the *Reichsrat* on 3 July 1917. *Stenographische Protokolle des Abgeordnetenhauses des Reichsrates 1861–1918. XII. Legislaturperiode, XXII. Session: 30. 05. 1917 – 12. 11. 1918.* <http://alex.onb.ac.at/cgi-content/alex?aid=spa&datum=0022&size=45&page=1620> Date of Last Download: 28. 02. 2019

²¹ The speech of Raphael Pacher (German National Association/German Radical Party, Bohemia) in the *Reichsrat* on 22 January 1918. *Stenographische Protokolle des Abgeordnetenhauses des Reichsrates 1861–1918. XII. Legislaturperiode, XXII. Session: 30. 05. 1917 – 12. 11. 1918.* <http://alex.onb.ac.at/cgi-content/alex?aid=spa&datum=0022&size=45&page=3764> Date of Last Download: 28. 02. 2019

the existing political frameworks of the late Great War-era. The notion was still intertwined with ‘autonomy’ and also both co-existed with and complemented others, as exemplified by its simultaneous use with historical rights.

Once again, those were Russian politics that subverted the adaptation to the requirements of new times in national policies – but this time, with an overwhelming force. After their *coup d'état* of November 1917, the Bolsheviks of Lenin adhered the ideas of their leader with an intent to revolutionize the entire world. The new government issued the proclamation *The Rights of Peoples of Russia to Self-Determination* in a mere week after the take-over. When it comes to the notion already voiced by the Provisional Government, the Bolsheviks advanced further firmly. Their ideological leaders, Lenin and Léon Trotsky pushed for great reforms in terms of politics and diplomacy. The revolutionary politicians did not only see self-determination as a right of nations both in- and outside of Europe for political independence, but also stressed the cultural rights of minorities in their planned system. Finally, they had a special attention to the colonial world when it comes to their adhered ideas.²²

The clear intent of the new Russian leadership was to aim at a worldwide revolution with the help of the resources of a state that was one of Great Powers before 1917. Naturally, the utilization of the Bolshevik understanding of self-determination meant that their very empire was to be dissolved. However, this also represented the chance of achieving the destruction of the old order. In line with this intent, the self-proclaimed revolutionaries could gain the support of oppressed nationalities throughout the world. This was a serious challenge that needed the reaction of contemporary Great Powers situated in the opposing camps of the war.²³

Out of the latter, Germany and Austria–Hungary – the leading states of the Central Powers – were the quickest ones to take up the glove. When it came to billing their demands to the government of Russia that initiated peace negotiations at the settlement of Brest-Litovsk, the Imperial Foreign Minister of Austria–Hungary, Count Ottokar Czernin and the German Chancellor Georg von Hertling adopted the language of self-determination for their own interests. The politicians demanded that the nationalities of the hostile empire would be granted the freedom to choose their future statues within or outside of Russia.²⁴ In their understanding, this was to be done on a territorial basis, with the help of traditional local elites that would have formed constituent assemblies. When it came to their own states, Czernin and Hertling naturally argued that self-determination was an internal issue to be negotiated between governments and involved nationalities – and this was to be done in the

²² Betty Miller Unterberger, *The United States, Revolutionary Russia, and the Rise of Czechoslovakia.*, Foreign Relations and the Presidency, 4. (Texas A&M University Press, 2000), 83–84.

²³ Manela, 37.

²⁴ Borislav Chernev, “The Brest-Litovsk Moment: Self-Determination Discourse in Eastern Europe before Wilsonianism.” 22, no. 3 (September 2011): 372.

unforeseeable future when it comes to Germany and the Habsburg Monarchy.²⁵

This attitude sheds further light on certain opinions concerning the conceptual differences between various uses of self-determination. Some argue for a basic distinction between Western and Eastern (European) understandings of the notion, the former being based on the framework of the state, while the latter would naturally aim for the fulfilment of the needs of the ethnic/national community.²⁶ I would rather argue that there was a basic difference between the eventual conceptualizations of self-determination for the sake of 'movement' or 'revisionism' and that of 'order' in the First World War. While accepting the possibility of it being equivalent to 'secession', the latter tried to counter-act the subverting effects of the notion and to use it for its own purposes by connecting it to legal-territorial entities. In the opposite case, it becomes hard to explain why Germany – the titular home of the so-called *Kulturnation*, an ethnicity-based national identity – supported an understanding of self-determination that relied upon a territorial interpretation.

The consequent peace treaty of Brest-Litovsk signed on 3 March 1918 by the representatives of the Central Powers and Bolshevik Russia had a two-fold importance. First of all, the document sanctioned the detachment of shockingly huge and important peripheral territories from the body of the old Russian Empire – an act similar to the upcoming ones in connection to the Habsburg Monarchy in 1919/20. Nonetheless, the real importance of Brest-Litovsk was more than this factuality. In reality, this was the international contract to be signed on the basis of 'self-determination'.²⁷ For the Central Powers, this also meant a head-up against the Entente in the ideological side of the Great War. And indeed: popular support at home, the reliance of alliances and the stability of colonial rule all became questioned issues in the countries of the latter – thus, a constructive reaction was a must.

While he was not the first and only one making an attempt to give an answer to these challenges, it was definitely the American President Woodrow Wilson who became the knight of national self-determination among the leading figures of the Entente. While the intent to combat the Bolshevik threat in terms of ideological propositions was definitely present in the deeds of the politician, his concept of self-determination also stemmed from the republican ideas of individual rights, the Anglo-American liberal tradition and the Monroe Doctrine.²⁸ In addition to this, one could also take the influence of his

²⁵ John W. Wheeler-Bennett, *Brest-Litovsk: The Forgotten Peace, March 1918* (W. W. Norton & Company, 1971), 156–157.

²⁶ Thomas Duncan Musgrave, *Self-Determination and National Minorities*. Oxford Monographs in International Law (Oxford University Press, 2000), 13.

²⁷ Tvyрге Throntveit, "The Fable of the Fourteen Points: Woodrow Wilson and National Self-Determination." 35, no. 3 (June 2011): 458.

²⁸ Manela, 23–24.

Presbyterian faith on the American President into account when it came his messianistic zeal in his ideas of a world-wide reform.²⁹

While the famous Fourteen Points of 18 January 1918 are righteously referred to as one of the great proclamations of Wilson, as opposed to public misconceptions, they did not feature the term 'self-determination' at all. This was done by the less known Four Points of February 11. When it comes to self-determination, the American president intended to vest the nations of the world with the right proposed by him earlier: that of the 'government by consent.' This was to be applied to those populations which possessed 'well-defined national aspirations'.³⁰ However, Wilson did not provide exact meanings nor for the nature of these demands or the very term 'nation' itself. This – propagandistic and rather intentional – vagueness opened ground for various interpretations. One could have understood the Wilsonian form of self-determination as a right to equal treatment, autonomy or statehood.³¹

One could rightfully say that American president used the 'self-determination' in accordance to the Anglo-Saxon tradition, as one based on popular sovereignty. Whether he borrowed the term from the Bolsheviks and transformed it into his own image as a means of counter-propaganda or formulated his connected ideas independently is one aspect argued upon by the related literature.^{32 33} On the other hand, it seems to be agreed upon that Wilson applied the notion originally to the existing state structures of the contemporary world. The programmatic example for this concept was Austria–Hungary: the politician wished to preserve the entity both as a well-functioning economic unity and as a fundamental element in the European balance of power. He only gave his blessings to the plans in connection to the dissolution of the Habsburg Empire by the summer of 1918 and did not give up hope in its renewal until the actual disappearance of the old state from the map of Europe.³⁴ Thus, 'self-determination' essentially meant a democratic means of enforcing popular representation and participation. In politics for the American politician. Nonetheless, such an understanding lost its actuality with the empires of the East falling down: now, the creation of nation-states seemed to remain the only alternative.

To sum it up, the Great War saw the appearances of jarringly different interpretations of self-determination. First of all, it is important to realize that the discussion of the notion sparked with the first Russian Revolution and instead of constructing grand narratives, one must observe these as decentralized, transnational discourses. Yet, the policy that finally initiated an important chain of reactions in international politics was indeed that of the Bolsheviks: the one that announced the right of oppressed national

²⁹ Allen Lynch, "Woodrow Wilson and the 'Principle of National Self-Determination': A Reconsideration." 28, no. 2 (April 1, 2002): 423.

³⁰ Manela, 41–42.

³¹ Thronveit, 425–426.

³² Manela, 42.

³³ Lynch, 424.

³⁴ Magda Adam, *The Versailles System and Central Europe.*, Variorum Collected Studies (London: Ashgate Pub. Company, 2003), 4–14.

communities to independent existence and aimed at a world revolution, the destruction of the existing order of states. Thus, in their understanding, 'self-determination' became essentially different from 'autonomy' as a notion tied to the idea of secession. The attempt of the Central Powers was to tame this concept for their own interests: they argued for its vindication while they also understood it as a territorial issue and one in connection to the internal mechanisms of the state. Naturally and rather hypocritically, they gave their support for the nationalities of Russia while denying to negotiate with their own. Finally, the Entente answered to both of these initiatives by somewhat making a compromise between the existing understandings of self-determination. According to Wilson, its leading figure in this respect, the notion was a principle to be applied to international conditions. Yet, it is logical to deduce from the history of his ideological development that the main idea of the politician was not to create states for nationalities (especially for all of them), but rather to provide security in the vacuum that appeared in the place of the fallen empires.

As the Bolsheviks did not succeed in revolutionizing the world, the surviving establishment was the one to re-enforce itself after the First World War. In other words, it was a certain segment of 'order' – that of the Entente – that decided upon the questions of national self-determination. As it was the latter understanding that became the authoritative one when it came to the system established by the Versailles Peace Conference, I will now shortly observe the consequent applications of self-determination by the establishment to the conditions of the World.

An Arguable Right: Self-Determination in International Politics after 1919

The end of the First World War saw the victory of the Entente and its Allied Powers along with the collapse and the dissolution of both the Russian, the Habsburg, the Ottoman and the German Empire. Thus, the situation seemed to be ideal to make the Wilsonian promises of self-determination come true – however, the decisions made at the Peace Conference of Versailles did not follow suit.

Some go as far as actually saying that self-determination played only a minor part in the formulation of the reformed order.³⁵ The concerned populations were not involved in the decision-making at all; plebiscites were only held in a few exceptional cases. As a result, the new borders usually did not fit the ethnic structures of the region.

On the other hand, the emergence of the new nation-states meant that their titular ethnicities could live under the rule of their own leaderships. Statistically speaking, this meant that the proportion of subjugated populations decreased considerably, from around 23 to 8 million people in the

³⁵ Antonio Casse, *Self-Determination of Peoples: A Legal Reappraisal.*, Hersch Lauterpacht Memorial Lectures, 12. (Cambridge University Press, 1999), 25.

former imperial sphere.³⁶ In a certain sense, this was actually a vindication of the right of self-determination. Furthermore, the decision-makers of the Versailles Peace Conference made the new states sign the so-called 'minority treaties' that ensured basic rights for the non-dominant nationalities. Although these were not universal and the League of Nations did not provide thorough protection for them, one could still argue that this was a re-compensation for the insufficient applications of self-determination – although this also meant that minorities would have to accept their inferior status to that of majority.³⁷ Once more, self-determination became both a concept of its own right, while also appearing to be a counter-concept to previously similar notions.

Nonetheless, there was no way to deny the negative aspects of the settlement – and this fact evoked widespread criticism towards the Versailles system. All the defeated and the unsatisfied parties called for revisions on the basis of 'true' self-determination. By time, Nazi Germany became both a powerful leader of these forces and a proponent of this right. At last, the Agreement of Munich in 1938 reflected the strength provided for the cause of revisionism by this change in international politics, as Czechoslovakia infamously lost its border territories inhabited by non-dominant ethnicities to the Third Reich, but also Hungary and Poland in the name of national self-determination.³⁸

The cause of minorities suffered a considerable loss of prestige due to these developments. On the other hand, the Allied Powers did start to search for the new solutions of self-determination in the Second World War; thus, the latter became an actual right according to the UN Charters. Yet, once again, the concept had no exact definitions – and in absence of theoretical foundations, it was up to practice to circumscribe the use of the notion.

This happened in its clearest form in connection to the process of decolonization during the second half of the 20th century. This time, the application of self-determination concerned the former colonial entities as territorial units – which they remained to be during and after their transformation into the independent states of the Third World.³⁹ What mattered in these cases is that international politics preferred to keep the stable, but artificial boundaries created during the era of imperial rule; as opposed to this, the needs and interests of local ethnicities were of secondary importance.

Another programmatic example for the ambiguities of the use of self-determination was the dissolution of Yugoslavia in the early 1990s. It is without question that one can view the dissolution of the Eastern Bloc as a vindication of national self-determination, with the nation-states subjugated

³⁶ Stephen M. Horak, *Eastern European National Minorities, 1919–1980. A Handbook.*, vol. Libraries Unlimited, Inc., 1985, 4.

³⁷ André Liebich, "Minority as Inferiority. Minority Rights in Historical Perspective." 34, no. 2 (n.d.): 261–262.

³⁸ Jan Mlynárik, "The Nationality Question in Czechoslovakia and the Munich Agreement.," in *Czechoslovakia: Crossroads and Crises, 1918–1988.*, ed. Norman Stone and Edward Strouhal (Palgrave Macmillan, 1989), 89.

³⁹ Hurst Hannum, "International Law.," in *Encyclopaedia of Nationalism.*, ed. Alexander Motyl (Academic Press, 2001), 409.

to the power of the Soviet Union emerging as independent ones. One can also argue that there are parallels, or in fact connections with the similar events of 1919 and the Wilsonian understanding of the notion.⁴⁰

Yet, the international community had a hard time dealing with the case of the Yugoslav dissolution. While the various entities that engaged in a bloody war with each other were the former sub-republics of the federal state, these aimed at the re-formulation of borders in accordance to the (self-asserted) ethnic principle. International politics favoured the solution that the pre-existent borders would remain imperative – also, such a ‘dissolution’ based on previously established entities enabled the avoidance of ‘self-determination’ in accordance to ethnic-national criteria.⁴¹

In fact, it is the latter standpoint that seems to be valid now-todays in international politics. National self-determination is rather a watchword with vague definitions than an actual, active right. One can rightfully argue that self-determination is a ‘manifesto right’ voiced by its advocators in their attempt to win the support of the world’s public opinion for political purposes.⁴² Yet, it is also true that the ones arguing for its sake usually aim at the revision or the destabilization of the existing order. For instance, the Russian President Vladimir Putin referred to the concept in connection to the Crimean Peninsula, the secession of which initiated a turbulent conflict in the Eastern parts of Ukraine.⁴³

In my view, these troubles stem from the political origins of self-determination. As I showed it in my writing, those were the Bolsheviks of Lenin who adhered the right of ethnicities to secede from empires and form independent states in their feverish activity of revolutionizing the world and to destroy the old order. The latter answered by an attempt to ‘tame’ the subverting notion by connecting it to legal-territorial entities within its discourse. This naturally had a distortional effect on both the formulation and the execution of the concept after the First World War. ‘Self-determination’ remained to be a feared idea for order – while it is still a valid point of reference for revisionism.

In my view, these issues bring up certain questions in connection to the ideas of popular ideas, democracy and stability. It is without doubt that self-determination belongs to the realm of the former, going hand-in-hand with popular will and also being accepted as a democratic notion. On the other hand, self-determination is many times not incompatible with the existing order. One could firmly argue that popular ideas and stability many times oppose each other, even though it has been thought that our world have become increasingly democratic until the last decade. The inflexibility of international politics in this regard can have a degenerative effect on the perception of self-determination as a democratic right as populations might turn their faces

⁴⁰ William Twining and Neil McCormick, “Preface.” in *Issues of Self-Determination.*, ed. William Twining (Aberdeen University Press, 1991), xi.

⁴¹ Hannum, 411–412.

⁴² Richard T. D. George, “The Myth of the Right of Collective Self-Determination.” in *Issues of Self-Determination.*, ed. William Twining (Aberdeen University Press, 1991), 6.

⁴³ William W. Burke-White, *Crimea and the International Legal Order.* (University of Pennsylvania Law School, Faculty Scholarship, 2014), 1.

away from the Western definition of democracy for the sake of their unsatisfied ethnic desires. There is a dangerous gap that destructive populism can fill in.

Maybe it is time that international politics – if it wants to rule in the name of democracy – would take a constructive view-point in this regard, sacrificing some of its stability for the sake of winning over the masses from the cause of populism while aiming at a controlled and negotiated re-ordering of circumstances in the problematic cases. Although it was ultimately unsuccessful from the view-point of ‘order’, the discourse within the Habsburg Empire in the First World War provides an example that ‘self-determination’ can actually be a subject of negotiations between various parties – and when it comes to international politics, higher powers can in fact act as judges in these situation to prevent the escalation of conflicts

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