

PREFACE

Thirty-three years after the end of World War II the "European problem" still remains unsettled. Its most conspicuous aspect at present is that of security. The fear of a direct confrontation between East and West in Europe has been haunting the world for three decades. So far the attempt at reducing East-West tensions through the Helsinki Agreements of 1975 has not met with any resounding success. The prolonged—one may say "dragging"—Mutual Balanced Forces Reduction talks in Vienna do not seem to hold out much promise either.

Security, moreover, is a many-faceted problem, not confined to East-West tensions. Below the surface there exist tensions within Eastern Europe itself. The chronic instability of political boundaries in Eastern Europe is part of the problem of political security in that geographic area. The frequent shifting of boundaries attests to the difficulty of reconciling considerations of ethnicity or national self-determination with interests of strategic, economic and historical nature. Occasionally submerged, the question of boundaries keeps resurfacing, only to threaten the stability of the area again and again. Solutions imposed by great powers seldom survive the shifts in the distribution of power.

The study which is presented here deals with the boundary question of Czechoslovakia and Hungary; more specifically, with the boundary dispute of 1938, resolved at the time through an arbitral award.

The literature on the "Vienna Award", which followed shortly after the 1938 Munich Agreement and in a political sense connected to it, is rather sparse. Most of the material pertaining to this somewhat unusual arbitration is scattered in documents, memoirs, books and articles which are historical or political, rather than legal in nature. Consequently, while it would be relatively easy to produce a purely historical account of the event, an examination from the viewpoint of international law has been a more difficult task. The legal approach, emphasized here, should explain why a number of sources, ideological and polemical in nature, have not

been utilized at all, but merely mentioned. This has been the case, in particular, of works published in the East European countries after the communist take-over. These works pretend to reveal "new material" on the dismemberment of Czechoslovakia in 1938 and 1939. In reality, all they offer is a Marxist interpretation of the circumstances surrounding the event; that is, casting everything into a framework of class conflict, and emphasizing the tensions between the "Western bourgeois states" and the "great Union of Soviet Socialist Republics."

The drawing of acceptable political boundaries is, generally speaking, a thankless job. Discussing it is usually a controversial subject. Still, I hope that my approach does contribute to the increased understanding of the Czechoslovak-Hungarian border problem and thereby, also, to its eventual final solution.

A word regarding the Documents attached: I sought to reproduce them without any changes, except cutting the text where it was clearly unrelated to the subject, and adding diacritical marks where needed. The exchange of notes between Prague and Budapest has been retained in the French original; otherwise all documents are presented in English.

Finally, I would like to express my gratitude to my former professors Alfred J. Hotz, Felix Rackow, and Herbert P. Secher for reading, and commenting on, the original manuscript before it was submitted as a thesis at Western Reserve University, and to Case-Western Reserve University for permission to use the original text.

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If, despite the help I received, there are errors of fact or judgment in the text, I alone am responsible.

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