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EDITION OF THE SOCIETY OF HUNGARIAN LAWYERS

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# THE PEACE-TREATY OF TRIANON

FROM THE VIEW-POINTS OF INTERNATIONAL  
PEACE, SECURITY AND THE CO-OPERATION  
OF NATIONS

AN APPEAL BY THE LAWYERS, JUDGES, AND  
PROFESSORS OF LAW OF HUNGARY TO THE  
LAWYERS OF ALL CIVILISED NATIONS.

*Resolution of the Assembly held on January 18<sup>th</sup> 1931 in Budapest.*

BUDAPEST

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M. N. MUZEUM KÖNYVTÁRA  
I. Nyomt. Növekedésközp.  
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## I. THE BASIS OF REAL PEACE

It is always the stronger party which achieves the final victory in a war. There is and can be no exception to this rule, because such is the law of Nature itself. The fortune of war, propitious events, the genius of a great captain, certain mental powers which from time to time may stimulate the physical achievements of the weaker party to an exceptional degree; all these may lead to a succession of victorious battles won by the weaker party, but never to final victory. The heroic romance of battles achieved by the weaker, causing the hearts of distant generations to beat faster, represents only the poetry of war, never its real aspect. The reality of war finds its ultimate expression in that «Waterloo» which always and inexorably puts the final period after the last word uttered by the stronger.

The combatant who possesses a superiority of power may achieve the final victory in two different ways, according to whether in his war-scheme there prevailed the offensive or the defensive principle. Although as concerns the war itself the result will be the same in both cases, namely the final victory of the stronger over the weaker, from the viewpoint of peace, or rather of the peace-treaty to be concluded after the war, there is generally an enormous difference, according to which of the two above-mentioned schemes led to this final victory.

The warlike spirit and energy of a victor who during the war advanced from one glorious battle to the other has had ample opportunity of being spent in this triumphal march, whereas a people which achieved the final victory by economising its forces in a succession of defensive fights, will always long to satisfy its natural desire to assert its supremacy after the victory, and to make up at the end for those triumphs which during the war were denied to it.

In the first case the victor, relaxing upon his laurels, stretches out his hand in genuine and generous reconciliation to the vanquished, whereas in the second case the victor, who in his defensive fights was never able to quench his warlike hatred and natural desire to penetrate into the enemy's territory, will often use his weapons after they have become useless on the battlefield, in the framing of the peace, believing that peace can be created in this way with the instruments of warfare.

The victor in the first case will generally make a magnanimous gesture for genuine peace, whereas in the second, in his unquenched wrath, he will try to inflict upon his defeated adversary all those sufferings which not

only equal but very often surpass those which a nation, bleeding from the wounds inflicted upon it by the misfortunes of war, may undergo during the hostilities.

This great difference is due to the fact that while in the first case the successful battles were amply sufficient to convey to the victor the feeling of superiority to his adversary and of his having, through this superiority, achieved the final victory, in the second case it was doubtful to the very end of the war whether the superiority really lay with the victor. In this case it is not until the armistice that the victor is able to establish definitely that he is indeed the stronger of the two parties, this being his first opportunity of exercising his power over the defeated enemy.

But there is even more to be said regarding the differing effects of the two sorts of victories : in the first case the victor is not afraid of his adversary, since the war has amply proved the latter's inferiority, whereas in the second case not even the final victory is able to efface the memory of many lost battles. Consequently even the defeated enemy will appear formidable and this fear of him will dictate all those dispositions of the peace-treaty, by which the victor, anxious to provide for his own security, will endeavour to strip his former enemy of even the remnant of his former power. Such a peace is, of course, only the continuation of the preceding war, since the desire to weaken the enemy is nothing else but one of the many purposes of war, while, on the contrary, the purpose of peace should be to promote the development of progress for both parties.

These very different psychological conditions may account for that mental disposition which, after the final victory, makes the defensive victor incapable of concluding a rational peace. It is this psychological effect which generally animates the victor who has won by a defensive strategic scheme — and which is noticeable but very seldom in the offensive winner — in the aftermath of his flush of victory.

In short this process which prevents the conclusion of a reasonable peace is nothing else but the development of a certain kind of Caesaromania in the victor, who, in consequence, will be incapable of applying any mercy to the defeated enemy now unable to make any resistance, and such a victor will be prompted to assert his will unrestrictedly, instead of endeavouring to arrive at a compromise which, while assuring to the victor all advantages due to him, nevertheless does not deprive the vanquished enemy of the most vital conditions of his existence as a State.

We know of no branch of science which has the purpose of classifying wars according to whether they are good wars or bad ones, yet it seems to be beyond any doubt that from the point of view of the subsequent peace such a war may be considered as the best in which the final victory rests with the party who not only has won it, but who won it by a succession of victorious battles and who, after the laurels won on the battlefield, approaches the table of the Peace Conference with a feeling of satisfaction, conscious of his superiority. Such a victor will in most cases appreciate his former adversary, because underestimating him would detract from the value of his own prowess.

It is after such victories that the really good peace-treaties will be concluded. Such peace-treaties are usually based upon the mutual consent of both contracting parties and not exclusively on the unrestricted will of the victor, which the vanquished, incapable of resistance, is compelled to accept under the menace of the rattling of the victor's arms, that is to say under the most warlike threat possible; though only, of course, so long as he has to be afraid of this threat.

From the viewpoint of the possibility of the conclusion of a reasonable peace-treaty, the nature of the conflict which led up to war is also of great importance. If this conflict affected very severely the national feelings or paramount interests of the final victor, then the great bitterness which pervaded the soul of the victorious people will assert itself for a long time even after the war, and in spite of the conflict itself having come to a conclusion this bitterness will still be the voice of reason, without which real peace can never be attained. In this way outraged national ambition alone may prevent the conclusion of genuine peace. It is evident that between a real peace-treaty and a sham-peace concluded in the manner described above there is a world-wide difference.

Real peace is the result of the unanimous decision of both parties. The victor will look upon the peace-treaty as an instrument which assures him the profit from the victorious war, whereas the vanquished too, in spite of his defeat, will see in it the basis of future development. The advantages offered by such a peace-treaty to both former antagonists, are the best guarantee for both parties holding to its dispositions with equal loyalty. Such a peace will be a lasting one, leading as it does to the continuous strengthening of peaceful relations, but never to renewed armaments. The old saying of «*si vis pacem para bellum*» (He who wants peace must prepare for war) has to be applied just to these sham-peace treaties, which have come about in a dictatorial way, but never to treaties born of the unanimous determination of the warring parties.

A hollow peace is but a continuation of war. Being only a dictation it is being enforced upon the defeated enemy by the constant rattling of arms. The difference between war and this aftermath of war is that, while in the former the sabres are being really used, in the latter only rattling is going on. In the ultimate end there is no distinction, because, while the guns are not being discharged, nevertheless under their protection, entirely different and very often exceedingly deep wounds are being inflicted on the vanquished. There are various names for these post-war arms, such as: war-indemnification, reparations, liquidation of the property of former enemy subjects, sundry financial and economic dispositions, as many guns fired at the former enemy continually and under the terms of such sham-peace treaties as have been proclaimed to have perpetual validity. These blows, however, the vanquished will endure only so long as he is compelled to do so.

It is obvious that such a peace may be called anything but genuine peace.

A treaty containing stipulations after the above principle is not a

treaty in the proper sense of the term and even less a peace-treaty. It is no true treaty at all because it lacks the spontaneous will of the defeated party. In consequence it would be vain to try and find in it the mutual consent of both contracting parties, an indispensable attribute of any treaty. Neither can such a document ever be considered as a peace-treaty, because it does not regulate peace but prepares another war.

Scrutinizing such a peace-treaty we may pertinently ask what its visible purpose is. Obviously its end is to enforce upon the vanquished and disarmed enemy unacceptable conditions which he in his defenceless position is unable to reject; further to create, on the one hand institutional guarantees for the perpetuation of this disarmed state of the vanquished, and on the other hand to maintain or even augment the armies of the victorious party, in order that he may dispose of efficient means to enforce the dictated terms of the treaty.

Those who believe that such a treaty should be considered only as a peace-treaty containing severe conditions, and whom it escapes that it should be denounced as the result of a procedure which from the view-point of international law is evidently and utterly inadmissible, those forget that in any case when the necessity arises for concluding a treaty, there are invariably two forces facing one another. As we saw, the victor represents the superior force, but it is a great mistake to think that there is no force whatever left in the vanquished. If the war had deprived the vanquished of all his forces, it would have been entirely superfluous to make a peace-treaty at all. It is universally known that international law does not even stipulate the conclusion of peace after a war in which the army of the vanquished has been entirely dispersed and annihilated and the enemy's land conquered, because in such a case there is nobody left to conclude peace with. In such a case it is entirely sufficient to annex, without any treaty whatever, the occupied country to the victorious State. Should the annexing power have happened to make a mistake in underestimating the force left in the defeated nation, then the future may well bring him surprises in the form of revolts in the interior of the annexed provinces. There is nothing, however, to be said from the point of view of international law against the fact of such annexation, especially if it has been recognised also by other interested powers.

At the making of a true peace-treaty the situation is entirely different; in this case there are two forces left even after the conclusion of the peace-treaty. Such a treaty is the correct settlement of the mutual relations of two international contracting parties with the object that in future there shall be peace and not war between them.

Now, what is the basic condition for calling a document a peace-treaty? A peace-treaty must conform, first and in its outward form, to the volition of both contracting parties, and secondly, it must contain such material dispositions as will assure vital living conditions to both parties. This is the more obvious, since the reason for any war preceding a peace-treaty usually is some situation contrary to the interests of one or both parties, the controversy resulting therefrom having proved to be insoluble in a peaceful man-

ner. If the treaty which was meant to close the war contains unacceptable stipulations, such as may have been temporarily enforced upon the vanquished, solely in consequence of his being incapable to stand up against the victorious dictator armed to the teeth, it becomes at once clear that the war has been waged entirely in vain, because such a war has not brought peace to the former combatants but, instead of settling the original «casus belli», it has proved a source of quite a large number of new «causes of war».

It is in vain that the victor will endeavour to maintain such a hollow peace. His threats of a new war, his high-sounding quotations pointing to the sanctity of the pledged word in connection with his summons addressed to the vanquished to make him abide by the terms of the treaty, his hypocritical glorifying the principles of pacifism etc. must needs fail to perpetuate such a sham-peace, because the seeds of war which he himself has sown, will germinate with that absolute certainty which finds its infallible explanation in the laws of Nature herself.

Such a new war can be prevented only if commonsense takes the upper hand before it is too late; if it exterminates the seeds of war before they have ever started germinating and if the sham-peace treaty be modified or exchanged for such a new instrument as assures also the means of life to the defeated party.

Consequently we may state that only such a treaty may be considered to be a peace-treaty as is acceptable even from the point of view of the defeated party, as a fair settlement of the preceding conflict, and the acceptance whereof does not encounter insuperable and lasting national or psychological obstacles. Such a treaty will find its absolute sanction not in the superiority of the victor's arms, but in a much more reliable force: the unanimous volition of the two parties which alike, victor and vanquished, will be equally loyal in observing its terms.

In examining the durability of a concluded peace-treaty, it will be these considerations which alone must guide our judgment, not only from the point of view of the philosophy of justice, but also from that of international law and the policy of peace.

## II. THE TREATY OF TRIANON AS AN INSTRUMENT OF PEACE

We, the lawyers of Hungary, who in the tenth year after the conclusion of the peace-treaty of Trianon, which signified for Hungary the end of the world-war, have assembled in order to define our attitude in connexion with that document from the point of view of living conditions and the future existence of our country — we have all been endeavouring to the best of our ability to discuss the problem represented by Trianon with such an unbiassed and impersonal mind, as should be expected from every earnest and serious Hungarian lawyer, even when he has to deal with questions affecting his own country.

The examination of the dispositions contained in the treaty of Trianon, as well as the experiences derived during the ten years subsequent to the inauguration of that treaty, will cause every unbiassed thinker to recognise the truth of the fact that this treaty is the most typical specimen of those hollow peace-treaties which we have described in the introductory part of this work which deals with this question from the point of view of the philosophy of justice.

### A) The question of war-guilt.

The recent world-war originated in causes so manifold and complicated that it must be ranked among those wars, of which it may be said that they broke out by some rifle having gone off somewhere quite unexpectedly. History will undoubtedly be able, in due time and from the necessary perspective distance, to throw a light upon that agglomeration of original causes which were necessarily bound to lead up to war.

The flames of a world-war have never been kindled by one man or one nation alone — even all those nations who took a part in the war, if taken together, would be unable to start such a blaze. A world conflagration such as the last world-war is a natural consequence of the world's progress like an earthquake, which needs but minutes to change thriving cities to ruins, or to drive flourishing islands to the bottom of the sea.

There is only one thing true in connection with both the outbreak of this war and the establishment of war-guilt: just as unjustly as the vanquished peoples were and are still accused of being responsible (judged from the view-point of the victors) for having precipitated the war, it would be equally unjust, if the defeated Central Powers should accuse the victorious Allies of bearing the same guilt. The Central Powers could even point to the fact that the purpose of the Allied and Associated Powers was the conquest of those territories which under the peace-treaties the Central Powers had to abandon in order that these territories might be annexed by the victors and that, consequently, the Allied and Associated Powers may have had more interest in precipitating the war than Hungary who had no desire for territorial conquests whatever.

Without insisting upon this as an argument, it must none the less be clearly established that Hungary, as has been amply proved, never had any desire for conquest. In addition to this it is commonly known by now that it was the Hungarian Prime Minister of that time, Count Stephen Tisza, who alone protested against the declaration of war, moreover that Hungary consented only under the heaviest pressure to the ultimatum being sent to Serbia, and even then only after a solemn declaration had been made to the effect that Serbia should be merely compelled to give efficient guarantees, by which her aggressive policy should cease once and for all. It was also Hungary which refuted from the very outset any territorial annexation and any intentions against the national independence of Serbia. As a consequence it is obvious that Hungary joined in the world-war from the most natural motive of self-defence. This can never be denied, especially

since the States of the so-called Little Entente had been endeavouring very long since to possess themselves of the Hungarian territories which were allotted to them as their booty at the partition of Hungary.

The fact of Hungary having been absolutely innocent of having in any way contributed to the outbreak of the war, has been recognised by now in all those States which have no special interest in substituting the pretended war-guilt of Hungary in the entire absence of any rightful claim to retain those territories which were carved out from the body of this country.

The assiduity, but also the regrettable lack of sincerity, with which our former enemies investigated immediately after the conclusion of the war the question of war-guilt, was bound to fail in producing any serious results. Nevertheless, poor and terribly maimed Hungary was forced to admit in Art. 161 of the treaty of Trianon, to having been guilty of precipitating the war.

The standpoint of the Allied and Associated Powers is to this very day the same, namely that the Central Powers were guilty of having forcibly started the war, while the Allied and Associated Powers were only compelled to a defensive fight, carrying on, as they say, «a war against militarism» or «a war against war». However, in examining closer this so-called unselfish and, as the Allied and Associated Powers say, «holy» war, for the precipitation of which even dismembered Hungary has to pay «reparations», we find that, as a result of this war, Great Britain came into possession of no less than 1,415,929 square miles of newly conquered territory — according to the figure contained in a recently published work of the British M. P. Ponsonby. It would seem fair to be grateful to the vanquished ex-enemy for such an immense profit, instead of punishing him. One might pertinently say so, at least, were the whole tragedy not so unpeakably sad. It is also highly significant that the charge of the pretended war-guilt of Hungary is most vehemently voiced, even at the present time by those Little Entente States which have received immense territories out of the body of Hungary and which States never could have got these provinces without this war.

Yet even if somebody were to try to refute our contention that there is none among the numerous nations which took part in the war which might be singled out as guilty of having precipitated that conflagration, and if, in contradiction to our opinion, he should choose to go back the long line of events until hitting upon such occurrences as cannot be associated with those preliminary incidents which might be considered as signifying the origin of the world-war: even in this case it is impossible to throw the war-guilt upon Hungary or upon the Austro-Hungarian monarchy either.

The basic incident to which we arrive in the above way will be this: one Gavrilo Princip, of Servian nationality, who since has been elevated to the rank of a national hero of Serbia, killed — at Servian instigation, as has been proved since — the Heir-Apparent to the Austrian and Hungarian throne, as well as his wife. In other words, at Servian instigation a regicide was committed, the victims of which were this time no members of the Serb

royal dynasty, an event which plainly put the Austro-Hungarian monarchy into a position to be compelled to make Serbia responsible for this deed.

This was done eventually, but Serbia refused to accept the conditions set by the monarchy, whereupon there ensued the rupture of relations.

This is sufficient to prove the entire baselessness of any charge of war-guilt against Hungary. At the same time it will become at once obvious that there is not one among the dispositions of the peace-treaty which might be justified by the assumption that Hungary, guilty of having precipitated the war deserved a punishment, the more so, as the sole evident cause of the war was the sad fact that, in the course of events mankind had arrived at a historically critical moment of general tension, when the phenomenon was bound to burst forth.

### **B) How war-hatred influenced the terms of the peace-treaties.**

At the beginning of our work we have referred to the psychological impulse which often takes possession of the mind of the victor who, during the war, has had to restrict himself to defence. This psychological disposition, which causes the victor to burst into offensive action, after having achieved the victory by his prolonged defensive attitude, took possession of the Allied and Associated Powers after a war lasting over four years and unprecedented in the world's history. It resulted in the war-hatred reaching a climax, just at the moment when it should have subsided in order to give place to judicial reasoning on the eve of the conclusion of the peace-treaty. In addition to this there was the fact that the battlefields were all well within the frontiers of the defensive Allied Powers, and that even at the moment of the armistice, there was not one of their soldiers standing upon the territory of the Central Powers.

This circumstance contributed much to the victors dealing in a merciless manner with the enemy whose lines broke upon their own territory. This hatred was even more accentuated by the nature of the conflict, whose vehemence, as we have stated above, had also a very deep bearing upon the framing of the peace-conditions.

In consideration of the fact that the world-war was the last great effort of Panslavism for the realisation of its ideals, and that the leaders of the Balkan movement too had been looking forward to this war, as the only means through which to achieve their ends, outlined long before on maps which showed many years before the outbreak of the war, how the Austrian-Hungarian monarchy should be partitioned; and taking further into consideration how the fruit of another typically hollow peace-treaty was ripening: that of Francfort which, about half a century before, had allotted Alsace-Lorraine to Germany and ever since had been kindling the flame of bitterness in France; viewing these conditions we really must doubt whether the unprecedented vehemence of the conflict which burst forth in the world-war did not blind the victors, whose wrath had been accumulating during the long years of defensive fights, to the degree of frustrating any effort to liquidate their victory by a reasonable peace.

The formalities of the deliberations preceding the conclusion of peace alone were sufficient to give a frightful picture of how deeply the war-hatred had taken possession of the victors. We, the lawyers of terrorised Hungary, were formulating the question : what has Hungary to hope from a peace-treaty to be concluded under these circumstances? Were not the members of the Hungarian peace delegation kept, in defiance of the most primitive rules of intercourse between peoples belonging to the community of civilised nations, under military control to such an extent that they were not even permitted to receive the visit of friends without the permission of the military guard?

These were the outward features of how the victors interpreted liberty of deliberation. The principle of argumentative negotiation which needs must precede any bilateral legal affair, was entirely excluded from the deliberations. The Hungarian delegation received only the permission to utter their decision regarding the acceptance of the conditions of peace which were communicated to them without their statement having ever being admitted as a basis for further discussion. We did not even receive an answer to the majority of our written arguments, and in those extremely rare cases when there was an answer to our well defined and carefully reasoned memoranda, this answer consisted merely of a blunt «non possumus» : conforming to the principle set up by the victors, according to which the treaty of Trianon could by no means contain dispositions essentially different from those of the treaties of Versailles and St. Germain, which at the time of the Hungarian peace deliberations were already concluded and signed.

The procedure of preliminary information necessary to the proper framing of the peace conditions was carried out with a most transparent bias. The victorious powers, having undertaken to create peace without consulting the vanquished peoples, that is to say by dictating the peace conditions, decided on matters and problems which they had to deal with, with utter ignorance. They gathered information by hearing only one side, their own associates, — that is to say those who were most hungry for conquest — without ever having given to Hungary a chance of being heard. It goes without saying that the only correct procedure in such a case would have been to give both parties an equal chance to state their own case, and then to establish the truth by comparing both statements. It is entirely out of the question that justice could spring from the one-sided information furnished by the party which had such a tremendous interest at stake ; nevertheless the Powers decided on the fate of peoples absolutely unknown to them and, what is more, delivered their sentence on the basis of a procedure, which they must have known to be utterly incapable of revealing the truth to them.

In order to prove the unprecedented political frivolity of this action, it will be sufficient to point to the new Hungarian frontier-line, which in some cases cuts cities into two parts, and in other cases makes navigable rivers out of insignificant brooks, merely because those who were «competent» to decide, had no idea what they were dealing with. Nor were they able to justify by anything these most obvious blunders. To tell the truth we too

are at a loss how to explain them, and can but point to the superficiality of those who dictated the peace conditions. It would seem unfair to suspect them of unscrupulousness rather than carelessness and ignorance, because in that case one would have to attribute mental and moral qualities to the victors, the presumption of which would certainly be unreasonable. But, on the other hand, it would be useless for the peace dictators, in order to refute the charge of a culpable superficiality, to endeavour to escape from their responsibility, by reminding that commissioners had been dispatched to Budapest to study the situation. Firstly, these commissioners were but subordinate functionaries, to whose reports there cannot be attributed the same importance as if the truth of any question had been established by argued deliberation, and secondly, these commissioners were dispatched to Hungary only *after* the conditions of the peace-treaty had been dictated, and consequently the sending out of these commissioners was just as much a mere formality as the hearing of Count Albert Apponyi, the leader of the Hungarian peace delegation by the Supreme Council.

If we consider only these original sins, committed against all principles of procedure known to international law, it becomes obvious that the learned and conscientious student of such law will feel as though his mind had been thrown back even beyond the Middle Ages into the far distant past. This unwarrantable procedure became a worthy frame for the contents of the peace-treaty itself, many provisions of which show a most deplorable decline of international law.

In this respect we need point only to Art. 232 of the treaty, paragraph 1—*B.* of which empowers the Allied and Associated Powers to seize and to liquidate private property belonging to nationals of the vanquished countries. This, indeed, is a disposition recalling the principles of antiquity, and resuscitating the long discarded conception of war as a «*bellum omnium contra omnes*», that is to say that not only the enemy State itself, but also all citizens of it should be considered as combatant elements, as was the case in olden times, and that also all private property should be considered as booty.

This degeneration of international law, born of the blindness of hatred, asserted itself also in other dispositions.

While Art. 232, Paragraph 1—*B* gave a possibility of reducing to beggary those persons who held to their Hungarian nationality, on the other hand Art. 63 furnished the means of expelling them from their very homes. Now, are dispositions of this kind not more fitting the spirit of antiquity than that of the Middle Ages? It should be remembered that Christianity in the Middle Ages attenuated to a certain extent the international ferociousness of antiquity when there existed no international law at all, and when every nation considered any other people as its natural enemy to be subjugated, enslaved, or annihilated. Is there anything lacking of all these, attributes of antiquity, if we think of those Hungarians whose home came under foreign rule in consequence of the Trianon treaty? They were reduced to beggary, expelled from their ancestral homes, and all this on the strength of a peace-treaty which only did not permit of their being put to death.

But this was the only difference between the peace-treaty and the ferociousness of old: now one had only to wait patiently until people, reduced to beggary, expelled and driven into despair, should put an end to their lives by their own hands.

Our former enemies were absolutely unwilling to recognise the absolute barbarism of the basic principles underlying the peace-treaty, aye the victors themselves termed this war «the struggle of civilisation against barbarism» Even the states of the so-called Little Entente which show the highest percentage of illiteracy, basked in the beauty of this high-sounding phrase, and it appears that there was nobody left who had the leisure to find fault with these truly barbarian stipulations of the peace-treaty.

### C) The partition of Hungary in the light of historic claims.

In examining those provisions of the peace-treaty which were not directed immediately against Hungarian citizens but in conformation with international law against the Hungarian State itself as a warring enemy, we must, alas, state that in this point too the victors were obeying, instead of the voice of mature consideration, merely that of blind war-hatred, and that as a result of this the resolutions they arrived at turned out to be of the most unreasonable kind.

Let us consider in the first place the territorial losses of Hungary.

The ten-centuries-old body of Hungary was split in to fragments and about three quarters of its area allotted to the other Succession States. There were three reasons for dividing up the body of Hungary. Two of these reasons may be termed external ones and one internal, which latter was mentioned by nobody, but was in fact the sole true reason why the Allied and Associated Powers granted the claims of the Little Entente States, who urged a dismemberment of Hungary.

One of the above mentioned external causes consisted in denying the rightfulness of the act of land-taking effected a thousand years ago by the Hungarian nation, and in claiming that this land-taking infringed upon the interests of the Slovaks, Czechs, Rumanians, and Serbs, that is to say of *nations, most of which did not even exist in these parts at that time. In addition to this it was assumed that the legality or illegality of that land-taking was to be re-examined after ten centuries.*

On the basis of this artificial and invented legal principle it would be possible to protest, until the end of time against the validity of the foundation of any new State — as even the famous «lettre d'envoi» written by M. Millerand had clearly stated. In this letter M. Millerand made only an empty gesture, declining all those amply and well grounded objections which Hungary had put forward against the conditions of peace, while in answer to the argument pointing out the millennial past of the Hungarian nation, he merely replied: «A state of affairs, even if it has lasted for a thousand years, has no right to continue, if it is recognised to be contrary to justice.» Now, if we were to accept as a legal basis this monstrous statement, any nation would have a right to appeal against the situation created, say, by

the migration of peoples, yea, upon such a principle even the Macedonian empire of Alexander the Great could be re-established or the conquest of Gaul pronounced as illegal.

It seems that this is the proper place to quote, against the statement of M. Millerand, that of one of his compatriots, the French author André Maurois who, after the conclusion of the war, said: *«If we have to satisfy the desire of every village which has not yet forgotten having been independent ten centuries ago, then, indeed, this has been only the prelude to an endless period of new wars.»*

This most significant statement would be sufficient in itself to annihilate the doctrine invented for the purpose of disproving the historic rights of Hungary. The only trouble is that this absolutely hollow doctrine has been more or less sanctioned since, a process not unknown in the domain of international law, where sometimes sham legal maxims have been constructed solely in order to justify some striking injustice.

Such a sham legal maxim contains very often a much greater danger than the injustice itself which it is supposed to cover.

On the strength of this curious doctrine established by M. Millerand, we can see not only India, but a number of other colonies belonging to the Great Powers, claiming more or less full independence by quoting historic rights, by pointing to the illegality of colonisation and occupation, and by claiming the right of national self-determination. In this way the predominating position and directing role of the leading Great Powers would soon come to an end.

In consequence of such a maxim Great Britain has already had to abandon her protectorate over Egypt: Ireland has become independent and even in France, where minorities were previously unknown, the Bretons seem to have recently discovered their ancient and independent racial character, to say nothing of the struggles of Alsace-Lorraine for a complete autonomy, almost immediately after the veil of mourning was taken off the Strassbourg-Monument on the Place de la Concorde, or of the nervousness provoked by anybody calling Nice by its Italian name Nizza.

Since from all this it has become fairly evident that this sham doctrine, which was originally meant to justify the partition of Hungary, has gone since its inauguration a long way toward asserting its effect (though not quite in the direction desired by its author) it is high time that we too should tell our opinion about it.

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In so far as concerns the would-be historic rights by which the States of the so-called Little Entente claimed those Hungarian territories which were allotted to them, the peace-treaty was certainly able to grant enormous power to these little States, but however it might empower them to change the future of these newly acquired provinces, it could not alter their historic past.

Those fantastic theories, on the strength of which our neighbours think to be able to construct historic claims, such as, on the one hand, the

doctrine of the disintegration of the great Slav unity eleven centuries ago, and on the other hand, the phantom of there having been Czech or Slovak States on the territory of former Hungary previous to the arrival of the Magyars, cannot be taken into serious consideration in the light of historic research. The assumption of the Czech historian, Palacky, who pretends that the Magyars, in penetrating into Pannonia at the end of the IXth century, found here, on the border-line of Central and Eastern Europe, compact masses of a great Slav nation, into the very heart of which they intruded like a wedge, frustrating thereby the conception of a single Great Slav State, as predestined by history itself, is nothing but the fanciful creation of schoolmasterly Panslavism, invented in the XIXth century, and lacking any historical basis. The Hungarians could not have broken up any Slav unit, since such unit never existed in the IXth century, that is to say, at the time of the arrival of the Magyars, — for the simple reason that that unit was broken up perhaps more than a thousand years previously, in consequence of the Slavs having split into a number of separate nations. At the time of the occupation of Hungary by the Magyars, the Slav peoples were living an obscure national or rather tribal life, separated from one another both geographically and politically, in addition to belonging to various spheres of culture.

The Hungarians, advancing from the East, found on the territory where they founded a State that was to subsist for more than a thousand years, only fractions of Slav tribes which they first subdued and then included into their own political organisation.

These Slav fragments had never before constituted a joint national or political unit. They had infiltrated into the territory which later became Hungary in small groups, during the reign of the Avars, preceding the arrival of the Hungarians by three centuries. Many of them were brought home by the Avars as war-prisoners. After the collapse of the Avar empire they began to form various clans in different parts of the land, under the leadership of various chieftains. But these clans obtained political significance only after the fall of the Avars, and then only by subordinating themselves in the West to the system of the Frankish-German empire, which extended at that time as far as the Danube, and in the East by joining the powerful and far-flung political organisation of the Bulgarian-Turkish rule.

The principality of Croatia, situated south of the Kapela range; the province of the Slovenes, or, as they are termed to-day by the Croats, the Kai-Croats, between the Kapela mountains and the river Drava; the Slavonian principality around Lake Balaton, as well as the Moravian principality of Moymir and Svatopluk which at that period comprised in one political unit the ancestors of the Moravians and Slovaks of our days, and was situated in the region of the rivers Morava and Nyitra, were but parts of the Eastern Frankish empire, and consequently outposts of the German Power of those days, as was also the Czech principality which came into being to the north-west of the Moravians, and which until long after the constitution of the Hungarian Kingdom formed an integral part of the German empire. There never was any political connexion or union between

these little Slav groups, the relations of most of which with one another were indifferent and even hostile, the sole co-ordinating link being the powerful system of the Frankish-German empire ruling over all of them.

In the parts east of the Danube, especially in the valleys of the rivers Tisza and Maros, as also in Transsylvania, which later became populated by Magyars, and still later by an infiltrated element of Rumanians, there appeared and settled at that remote period sporadic Slav races which came from the Bulgarian empire in the Balkans, or rather straggled in at the time of the settling of the Bulgaro-Slavs and which, in the IXth century, at the time of the Bulgarian Khan Krum, submitted to the sovereignty of the Bulgarian rulers, while continuing their existence under their chieftains of Bulgaro-Turkish race. These extremely scarce Slav settlements of the Danube region and Transsylvania were, however, in but very slight relations with the Great Bulgarian empire of that period, and even these loose ties were broken off definitely when the hosts of the Hungarian prince Árpád, after having been defeated by the combined attacks of the Petchenegs and the Bulgarians, occupied the territory of historic Hungary and, establishing their rule over all these Bulgaro-Slav fractions, assimilated them entirely.

There were only two independent formations of Slav States which may be taken seriously into consideration at the period of the arrival of the Hungarians. One of these is the principality of Croatia which, at that time, had already separated itself from the Frankish-German empire and which, becoming soon afterwards a Kingdom, preserved its independence even after the foundation of Hungary, entering towards the end of the XIth century into close political relations with the Hungarian Kingdom. However, Croatia conserved her separate racial character also under the reign of the Hungarian Kings, and even extended her frontiers in later centuries as far the river Drava, as a Slav province of the Hungarian Crown.

This is also a proof of the fact that the Croats have never been oppressed by the Hungarians, whose kings, quite on the contrary, by their wise governmental system facilitated the union of the Croats with the other kindred races living in the region between the river Drava and Szava. The actual national unity of the Croats is due simply to the former union of those two groups, the Croats and the Slavonians.

The other Slav State which, at the end of the IXth century, was about to part from the Eastern Frankish empire, was Moravia under her prince Svatopluk. This able politician and excellent captain and ruler contrived to extend the Moravian frontier as far as the forests of Zólyom in the east, and the river Danube in the South, while in the West the frontiers of his empire were flung, after he had conquered the enemies of his people, the Czechs, to the westernmost border-line of Bohemia.

This Moravian-Slovak formation, however, was decidedly in its death throes at the time of the arrival of the Hungarians. The Czechs who suffered the foreign rule of Svatopluk only because they were unable to shake it off, rose in revolt against the successors of that prince, tore themselves free and resumed their former allegiance to the Holy Roman Empire. The

emperor on his part prepared to subdue once more, and this time with the aid of the Hungarians, the provinces between the Morava and the Nyitra. The occupation of these regions by the Magyars produced in this direction only the relatively slight alteration that the Moravian Slavs exchanged for about one and a half centuries, and their eastern neighbours the Slovaks permanently, the German supremacy for the Hungarian sovereignty. Therefore it is entirely beside the mark for the Slavs to complain of their political or national unit having been wrecked by the Hungarians more than a thousand years ago.

In fact, the Hungarians never had to fight against the politically disorganised groups of Slavs who lived between the rivers Morava and Nyitra and were showing already all signs of a process of dissolution. They had to struggle for their new home against the Bulgarians in the East, and against the Germans in the West, infringing upon no historic rights whatever which any Slavs might justly claim.

Such grievances might perhaps be advanced by the Bulgarians and Germans, the more so as in the centuries following the occupation of Hungary by the Magyars, there appears invariably as the motive of the German Hungarian wars the conscious tendency of the Germans to reconquer the territories reaching to the middle course of the Danube. Thus, among other occasions, Hungary had to fight against Germany, when the tenth century was passing into the eleventh, and when the princes of the eastern (Austrian and Czech) borderlands of the Empire, which in the ninth century were under Hungarian rule, were conquering or rather reconquering these provinces for the German rule.

In consideration of these facts and especially of the circumstance that the Moravian-Slovak state of Svatopluk is being quoted to-day as the historic basis for the unity of Czechoslovakia, it seems necessary to point out that this State was at that period in a position which is in flagrant contradiction to this assumption, viz in constant conflict with the Czechs. Therefore it is absolutely impossible to speak of any historic homogeneity of the Czech and Slovak nation. It may, however, be admitted that without the arrival of the Hungarians, the Slovaks of the Nyitra region might have arrived, like the Czechs and the Poles, at an independent political organisation. This is the sole racial argument showing any historical basis or value on the territory of pre-war Hungary.

The sporadic groups of Slavs who were living, without any political organisation or national consciousness, in the eastern parts of Pannonia, in the Drava-Szava corner, in the region of the Tisza, or in Transsylvania, amalgamated as early as the Middle Ages with the Magyar nation and consequently it is quite impossible to speak, in connection with these fractions, of any violation of historic claims.

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The Rumanian legend, according to which they pretend to be the direct and historic descendants of the Roman legions in Dacia, is also unable to stand the test of serious investigation. This legend is based upon the

information furnished by a nameless Hungarian chronicler who lived towards the end of the XIIth and the beginning of the XIIIth centuries, and was the author of the work «Gesta Hungarorum». It is generally known, however, and it has been proved over and over again that this Hungarian author «Anonymus» was in all racial problems under the influence of the ethnographical situation of his period. He mentioned Cumanians and Rumanians as contemporaries of the arrival of the Magyars into Hungary, notwithstanding the fact that the Cumanians were living at that time in the steppes of Central Asia, whereas the Rumanians, on their migration from Macedonia, had just then reached the territory between the lower Danube and the southern slopes of the Carpathians.

In actual historical fact this pastoral people, consisting of Latin, Illyrian, Macedonian, and Slav elements, was living even as late as the XIIIth and XIVth centuries, without any political organisation, a life of backwoodsmen and shepherds in the Balkan peninsula, partly under Hungarian and partly under Bulgarian and Cumanian rule. Even those of their leaders who later founded and organised the Wallachian principalities, and who subsequently began to direct the infiltration of Rumanian colonists on to Hungarian soil were foreigners: Cumanians, Bulgarians and Greeks, as stated by their own Rumanian historians. In this case there is, therefore, even less reason to quote historic rights.

The foreign races living within the boundaries of historic Hungary, with the exception of the Slovaks who populated the region north of the imaginary line Nyitra-Modor, and west of the great forest of Zólyom, are all descendants of such elements as have infiltrated only *after* the arrival of the Magyars and who were subsequently colonised by the Hungarian Kings. And even the Slovaks have, in consequence of the systematic policy of colonization of the Hungarian kings and great landowners, migrated in later centuries to and beyond the region of Zólyom, and to the eastern parts of former Northern Hungary.

The Ruthenians were incorporated within the frontiers of historic Hungary only about the XIVth century.

Traces of Wallachians may be found on the outskirts of the so-called south-eastern Hungarian marches towards the middle of the XIth century. These were arriving in their flight from the Turkish hosts, though only in considerable masses during the XIVth and XVth centuries to Hungary.

The immigration of Serbs and Bulgarians, as well as the spreading of Croats coming from the territory beyond the Kapela, and occupying slowly the region up to the river Drava and the province of Syrmia, began at about the same time.

The oldest solid blocks of foreign races settled in Hungary are the colonies of Saxons in Transsylvania and in Northern Hungary, as well as some Suabian settlements, in southern Hungary and Transdanubia. The former followed the invitation of King Géza II. in the XIIth century, while the latter immigrated in the XVIIIth century after the liberation of the country from under the Turkish yoke and were called into the country by Maria Theresa.

In the face of these historic facts it will certainly appear strange that Rumania, which country arrived at a condition of national independence only as late as 1878, on the occasion of the Berlin peace-treaty, dared to celebrate the «liberation» of Transsylvania, on the assumption that that province had been for a thousand years illegally possessed by Hungary, being a territory which had been robbed from Rumania.

According to the experience derived from history it may be profitable to adulterate international law at times and in a given case, though it is never wise or safe to do so; unbiassed science, however, really cannot accept or even tolerate such forged new editions of International Law.

The above comments should be sufficient to throw a light upon the so-called «historic rights» of the Succession States. In order to show the absolute lack of foundation of these rights it has seemed enough to quote history in its purest sense, the more so as it is highly probable that the civilised world will scarcely heed historic transcripts in a false key, such as have been manufactured by the Little Entente States.

#### **D) The frontier-line as fixed by the treaty of Trianon and the right of self-determination of peoples.**

In order to justify the transfer of large territories from Hungary to the neighbouring States a second principle was inaugurated against Hungary: the *right of self-determination of peoples*.

The idea was that the various minority races of Hungary had determined spontaneously the transfer to other states of the territories populated by them. This is how the principle of the self-determination of peoples was interpreted at that time. Let us now examine more closely events in connection with this principle.

When the Rumanians, violating the conditions of the armistice, penetrated into Hungary, they called a popular meeting at the city of Gyulafehérvár which, since that time they ostentatiously call Alba Julia. It is said that those present at the meeting and considered to be the legal representatives of the Rumanian minority living in Hungary, had determined to make use of their «Right of Self-Determination» to the effect that Transsylvania should be annexed to the Rumanian kingdom.

Similar resolutions were quoted in connexion with the Serbs and Slovaks who were living in Hungary. All this had the purpose to prove that those parts of Hungary which, together with three and a half millions of Magyars of the purest blood, had been allotted to the Succession States (among which was counted the new-born Czechoslovakia), had been transferred under the right of *self-determination of peoples*.

The makers of the Peace applied the right of self-determination of peoples on the basis of the so-called resolutions which some citizens of Hungary belonging to non-Magyar minority groups, had passed under unknown circumstances and equally unknown formalities, and by which these Hungarian citizens of non-Magyar language were said to have decided that great parts of Hungary should be allotted to other countries.

Since our unpretentious lines are addressed to the world's students of law, we think that it is superfluous to dwell too long upon explaining how weak all these resolutions are, as a legal claim to the annexation of the territories taken away from Hungary. It will be sufficient to point out that if the right of self-determination should be applied not only to a nation as a whole, but also to each of its parts or the fragmentary races composing that nation, then indeed all racial minorities of any State would be entitled to have the territory inhabited by them transferred at any moment and to a foreign state.

So this is how the so-called Wilsonian principle of the self-determination of peoples has been interpreted.

But let us see what the real meaning of the «right of self-determination of peoples» was, as voiced by President Wilson on February 2 of 1918, and as quoted by the makers of the peace.

The manifest purpose of this principle was to prevent territories and the population living on them from being bartered away and transferred from one state to the other, like cattle in a market. This was the reason why president Wilson had stipulated justice and the safeguarding of friendly relations between the nations as a basic principle of his plan. With special regard to possible territorial changes resulting from the world-war he proposed in the third of his fourteen points that: «All territorial changes issuing from the war have to be effected in the interest and for the benefit of the population concerned, and such changes may not be considered as a simple settlement of a territorial contention between two rival states or as an agreement concluded between such states.»

So this is the point quoted by the Little Entente against Hungary. But we may pertinently ask: is there the slightest legitimate argument contained in the above statement which might justify in any way the territorial changes effected by the treaty of Trianon? It should be remembered that it was just in Hungary that this Wilsonian point had the most soothing effect before even the peace conditions were published, because it seemed to stand to reason that on the basis of this principle no territorial transfer whatever could be effected without the consent of the whole of the interested population. That is why Hungary was convinced of no territorial claim against Hungary being taken into consideration without consulting the interested population, that is to say without taking a plebiscite, because, apart from the evident inadmissibility of discarding the historic basis and deciding on the future of a territory by consulting only the voice of one regional group instead of hearing the desire of the entire nation, it had to be fairly supposed that, before any decision was taken, at least this Wilsonian plebiscite would be held in Hungary.

But nothing of the kind happened. It was in vain that the Hungarian peace delegation repeatedly proposed to take a plebiscite in conformation with the Wilsonian points and declarations. The Hungarian proposition was rejected and all territories were taken away from Hungary and allotted to other states without any plebiscite, that is in flagrant violation of the Wilsonian principle, with the sole exception of Sopron, which, after having

been apportioned to Austria, came back to Hungary by the subsequent plebiscite.

Now, if the Little Entente, notwithstanding the above considerations, in accordance with which some public meetings were held under the control of their arms and certain problematical resolutions passed thereat, which resolutions could by no means be considered as equivalent to plebiscites, still stand by the validity of these bogus resolutions, this amounts to such an adulteration of the Wilsonian principle as from the stand-point of international law, and in the mind of a student of international law cannot but provoke absolute indignation.

We do not pretend to know what the issue of the plebiscite would have been, but the Little Entente states obviously knew, otherwise they would certainly not have so vehemently protested against it as being «superfluous».

In consideration of all this the Wilsonian principles, in their application to Hungary, are far from justifying the territorial transfers as effected in the peace-treaty; much to the contrary! they are the best argument against all these territorial changes.

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The Allied and Associated Powers bring forth as an argument against Hungary, when the latter contests the legitimacy of the territorial changes effected under the peace-treaty, that they acted according to what they believed to be the volition manifested by the peoples in question, and that in these changes they were endeavouring to apply the ethnic principle everywhere where geographical difficulties did not urge some other solution. Even today this seems to be the essence of what was left of their argumentation when anxious to explain the transfer of territories with a more or less pure Magyar population.

Though we cannot accept the dividing up of races, according to ethnic delimitation as an ideal principle for the foundation of any political entities, because this principle is contrary to experience derived from the study of the development of States, nevertheless we are even in a position to prove that the vindication of these territorial changes by alleging geographical reasons, is entirely unavailable as a convincing argument.

First of all there are 1,880,000 Magyars of pure Hungarian blood and language living, without being intermingled with any other races, in solid blocks immediately along the new frontiers and separated from the central Hungarian stock only by the new artificial border-lines of Hungary. For instance, in the region of «Csallóköz», allotted to Czechoslovakia, all the villages, almost one hundred in number, are and have been inhabited these thousand years by Magyars of purest blood. In the territories apportioned to Yugoslavia adjacent to the frontier there are living but 30% Yugoslavs, while Hungarians and Germans total 70%. In very surety a strange application of the ethnic principle!

And even if we make a grouping on the «degree of civilisation» principle of the races living on the territories taken away from Hungary, we

find that, for instance, in Transsylvania, where the gross Rumanian population numbers 1,300,000, as against 1,000,000 Magyars and Germans combined, nevertheless 86% of the intellectuals belonged to the Magyars and Germans, and only 14% to the Rumanians.

This is what the peace-treaty amounts to, if considered from the point of view of the ethnic principle.

### **E) The true reason for the territorial allotments and their consequences.**

Let us now examine the true and fundamental reasons for the transfer of territories. The true reason was simply this: *in order to induce the States of the Little Entente to join the war on their side and to help to achieve their final victory, the Allies promised these States large territories to be carved for them out of the body of Hungary.*

The Austro-Hungarian Monarchy which, for hundreds of years, had been maintaining and assuring order over the unruly and uncultured little Balkan peoples simply by exercising its moderating influence as a Great Power in their immediate neighbourhood, had acquired long ago the antipathy of these states. Especially Serbia and Rumania had started long before the outbreak of the war a secret propaganda, aimed at the partition of Hungary. This propaganda found a certain credit through the fact that Hungary, after the occupation by the Turks, had repopulated large devastated stretches of the country by appropriating fugitive Servian and Rumanian elements, exactly in the neighbourhood of the Servian and Rumanian frontier, without considering that this way of settling them hospitably close to their respective kinsfolk might prove dangerous in the future. It would be impossible, indeed, to assign the Saxon and Suabian enclaves in Hungary by any line of argument to Germany, since they are separated from that empire by hundreds of miles. But one might have anticipated that the proximity of, say, the region of Ujvidék to Serbia, and of Brassó to Rumania would at a given moment greatly facilitate the acquisition of those provinces by the two neighbouring countries.

In this way it was comparatively easy for the Balkan propaganda to make those who judge but superficially of such problems (that is to say the majority of the world) believe that it was necessary to divide up Hungary, because the Hungarians had robbed the Serbs and Rumanians of large territories — as proved by the partly Serbian and Rumanian population of those regions. This certainly clever, but utterly unfair trick naturally induced the Allies, desirous of achieving victory at any price, to promise the transfer of large portions of Hungarian territory to the Balkan nations, promises which the same Allies have had ample reason to be sorry for.

When, after the conclusion of the war, the Little Entente came to claim their reward, the Allies had a first opportunity to doubt the justice of the claims advanced by their associates. Immediately after the collapse of the Central Powers, when Rumania, disregarding entirely the conditions of the armistice, and in order to precipitate the accomplishment of the promises which she had received, invaded the entirely disarmed Hungarian

province of Transsylvania, the Supreme Council received exact information of the atrocities inflicted by the Rumanians upon the Hungarian population of the invaded region. At the same time alarming news came to Paris of the unruliness of Czech legionaries who penetrated into Northern Hungary, as well as that of the Serbs who occupied the Southern parts of the country as far as Pécs and Szabadka. This was also the time when the confiscation of the property of Hungarians in those regions began, along with the diversion from its original destination of the fortune belonging to the Hungarian churches, in addition to the abolition of Hungarian schools, and unprecedented oppression of the Hungarian population, evils which continue to this very day, since practically nothing has been done in the way of making amends for, or preventing all these wrongs, full lists of which have been detailed in the long line of grievances filed with the League of Nations by the minorities living in the Little Entente States. These alarming news threw a vivid light, even through the mist of war-hatred, upon the conditions to be anticipated, if the rather rash promises relating to the territorial claims of the Little Entente States were to be granted.

The Supreme Council did not dare to reconsider the unrestricted fulfilment of the promises made during the war, in spite of the fact that Rumania, for instance, continued to preserve its neutrality throughout the war until the first signs of a chance of the Allies' victory began to dawn upon the world. Even then Rumania withdrew almost immediately, as soon as part of its territory had been conquered by the Central Powers, and in the treaty of Bucarest pledged itself once more to neutrality. This did not prevent her from behaving, however, most cleverly after the general armistice, when all of a sudden that country appeared again in the part of a belligerent Associate. It is pretty clear therefore that, even from the point of view of the Allies, Rumania had hardly any claim to the accomplishment of any territorial promises the Allies had made to that country.

The Great Powers must have been well aware of those future troubles which needs must befall not only Hungary but the whole of Europe, if they should help to create comparatively big countries out of the small, unruly and relatively uncultured Balkan states, which even in their original dimensions had very often jeopardized the peace of Europe. They must have anticipated the even greater troubles which needs must ensue, if these Balkan states should find themselves suddenly enlarged and encouraged.

They must have felt that by substituting entirely open border-lines for the historic and natural frontiers of Hungary, and transferring three and a half millions of pure Magyars to foreign rule, together with the vast territories allotted to the neighbours of Hungary, they were sowing the seeds of future wars. They must have known that by dividing up the natural political and economic unit of Hungary an anarchy must inevitably set in, which would be bound to wreck all endeavours for a peaceful co-operation and a harmonious economic life in Eastern Europe.

In order to diminish these obvious dangers the Supreme Council has compelled the so-called Little Entente States — even before granting their territorial wishes and as a sort of preliminary condition of these

claims to conclude with the five Great Powers so-called Minority Treaties, by which these Little Entente states have guaranteed the rights of the minorities living on their territory, in such a way as to ensure to all those who belong to any particular racial, confessional, or linguistic minority group the same rights and privileges as enjoyed by their majority citizens. This obligation of the Little Entente States had been enacted as one of the unalterable fundamental laws of each country, and the provisions of these treaties were put under the protection of the League of Nations.

These three minority treaties, concluded with Czechoslovakia and Yugoslavia on September 10th 1919, and with Rumania on December 9th 1919, were indeed the preliminary condition for the territorial changes made in favour of the Little Entente States, since — according to the very text of these treaties — the safeguarding of the rights of the minorities was necessary as a very consequence of the great extent of the adjudicated territories and populations. The Little Entente states, whose purpose was not only the annihilation of the Hungarian minority but who had started this work most energetically some time before the peace-treaty was signed, simultaneously with intruding, contrary to the stipulations of the armistice, upon Hungarian territories which had been promised to them as their booty, tried to refuse at first any of these minority treaties. Only on realising that they were unable to get the consent of the Allies to annex the territories in question, did they sign those treaties. Even then there was so little good faith in their intention to abide by these treaties, that they continued shamelessly and with an increased efficiency destroying Hungarian property, the more so as they became quickly aware of the tragic routine of the League of Nations, which put aside all petitions containing the grievances of minorities, or at the best promulgated hollow and academic decisions regulating some details of procedure but never dealing with the essence of the matter.

This is how the Little Entente was endeavouring to deserve the newly acquired territories. The minorities were oppressed to such a degree that in most of those states even conversation in the Hungarian language was prohibited. As an illustration of the sanctity of these minority treaties we may quote that it is forbidden to this day to carry or send to Slovakia newspapers, magazines, even purely scientific works printed in the Hungarian language, and such printed matter will be taken away from the passengers by the Czech authorities at the frontier stations. Nevertheless, when the Hungarians were invited to send representatives to the conference of the League of Intellectual co-operation, held last year in Prague, general surprise was provoked by Hungary declining this invitation. All this has been amply explained by Dr. Joseph Vészi, member of the Hungarian Upper House of Parliament, at one of the recent meetings of the Interparliamentary Conference. His appeal made a very great impression indeed, without, however, anything having been changed since.

By now practically the entire world knows what strange situations were created by the treaties, both in Hungary and in the parts which have been allotted these twelve years to the neighbouring states. There are places where the frontier-line divides into two halves a tiny property of four acres,

owned by some poor farmer, who in this way is prevented from cultivating the half of his fields situated beyond the frontier, to cross which he must have a permit or a passport, and a visa. Many Hungarian subjects are unable to attend the burial of their parents or hurry to the sick-bed of a child or a brother, since it takes too much time and too many formalities to get the necessary passport and visas.

Hungary had to begin a new life after the conclusion of the peace-treaty, a task which seemed at first almost impossible, in view of the fact that by this peace-treaty she found herself deprived of most of her woods and timber, practically all of her ore, her most valuable coal-mines and factories, and thus was facing economic ruin. In addition to all this, incredible as this seems, Hungary has been compelled to pay reparations and must continue to pay them for one more generation, reparations for a war which this country alone struggled to prevent, alas in vain, but which, nevertheless, deprived Hungary of practically all her economic assets, two thirds of her population and about as much of her former territory.

### III. ABOUT THE REVISION OF THE PEACE-TREATY

#### A) Revision as the real basis of peace.

This treatise has not the purpose of enumerating minutely all details which, born of the spirit of war-hatred and contained in the peace-treaties, whether taken jointly or separately, have turned out by now to be a great and constant danger to any peaceful development in Europe. To-day, the old war-hatred seems to have diminished, though only to a tiny degree, and to be giving place to reasonable consideration.

The situation as it looks now is that public opinion in all civilised countries, (with the exception of those which have been granted territorial compensations), is perfectly aware of an immense injustice having been inflicted upon Hungary by the peace-treaty. Hungary has been endeavouring ever since to arrive by perfectly peaceful and legal means and under Art. 19. of the League of Nations' Covenant at a revision of the peace-treaty of Trianon. It seems that it will be superfluous to point to the many injustices contained in that instrument, because European public opinion, after having recovered its sound judgment, has long ago discovered the fairness of the Hungarian claims.

These circles which it will behove to judge in due time of the justice of the Hungarian cause, have put forth officially as an argument against the Hungarian endeavours for a revision of the treaty that it is impossible to do justice to Hungary, since the peace treaties concluded in and around Paris, and among them also the treaty of Trianon, form the basis of European peace and consequently any change of these treaties would jeopardize that peace and lead to new wars.

The present memorandum, as drawn up by the Hungarian legal profession, is endeavouring to make it clear *that it is not the revision of the treaty*

*of Trianon, but exactly the maintenance of that treaty which is the greatest danger to the peace of Europe*, moreover that real peace can be secured only by discarding the existing unjust and irrational peace documents, in the stead of which just and reasonable instruments of peace must be created, before it is too late.

We are perfectly aware of the fact that as long as the world's public opinion knows of Hungary only as a country which for one thousand years had an honourable record, and whose people for ten centuries had been protecting Europe against all dangers coming from the East, and that by the peace-treaty of Trianon the overwhelming majority of the territory and of the population of this country has been taken away from Hungary: it will be, at the very best, a more or less passive feeling of compassion which we may expect from the world. But from the moment when the population of Europe, when the man in the street in Rome, Paris, or London, shall realise that he can never sleep quietly so long as the highly dangerous and destructive provisions of the peace-treaty shall not be abolished, we may hope that — not only for our benefit but for the benefit of all mankind — reasonable and just changes will be bound to be effected in connection with the present peace-treaties.

This is the more true, as at present there is no chance all over Europe to work quietly, to enjoy the fruits of one's honest activity, to invest capital without the fear of losing it by entirely unexpected events, impossible to choose a profession, to go into any sort of business, to conserve the value of one's capital accumulated by a life's hard work, unreasonable, in short, to speak of any consolidated conditions in economic life, while the whole of Europe has to face a situation involving constant danger to the life of each citizen of any state, a situation liable to produce a conflagration which could be extinguished only at the cost of millions of lives, and which may be kindled at any moment and by the slightest breeze.

It is an irrefutable truth that everybody must, sooner or later, come to the conclusion that this terrible situation has had its true origin not in the past war, but absolutely and exclusively in the hollow peace-treaties, and that the danger cannot subside as long as these treaties shall not be changed.

The purpose of our work is to expound this question to the learned society of European students of law. We, Hungarian lawyers, lay the problem before the judgment of the highly intelligent, self-conscious, independent, unprejudiced, and influential community of the lawyers of Europe, in order to draw the attention of public opinion throughout the entire civilised world to this problem and to keep its eyes open, in our mutual interest, with the object of safeguarding mankind from the danger of new wars.

That the revision of the peace-treaty of Trianon is not only in the interests of Hungary, but also in the interests of the entire world, will become plain from the following arguments:

The question whether any peace-treaty has really closed the preceding war or laid the foundations to a new war, will be best seen from the degree of armament going on in the various States.

Being aware of the injustices inflicted by the peace-treaty the Allied and Associated Powers went on after the war augmenting their armaments at a really unprecedented and gigantic rate, in spite of the vanquished Central Powers having been disarmed to a degree that their armies are hardly sufficient to maintain domestic order.

This great competition of armaments is going on with an absolute disregard of articles 1., 8. and 9. of the League of Nations' Covenant, just as if these articles of the pact which contain provisions concerning the restriction of armaments to the lowest possible standard and relating to the carrying into effect of this disarmament, did not exist at all.

And here it should be remembered that it was just the sweet music of these dispositions which induced many a nation to join the League of Nations!

According to Art. 8. of the Covenant the member nations of that exalted body recognise «that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations».

But not only the Covenant of the League of Nations but also part V. of the basic principles underlying the treaty of Trianon are being violated by the one-sided disarmament. It should be known that the introductory lines of the abovementioned part V. contain the following stipulation: «In order to render possible the initiation of a *general limitation of armaments of all nations* Hungary undertakes strictly to observe the military, naval, and air-clauses which follow».

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Thus Hungary has been compelled to accept this peace-treaty with the clear understanding that the disarmament prescribed in part V. shall go on simultaneously with the disarmament of the Allies and Associated Powers. That this was to be understood in the above sense will be clear, apart from the text of the League of Nations' Covenant and of the peace-treaty, from the well-known letter of Clemenceau, addressed to the German peace delegation and corroborating the above statement as being perfectly correct.

In contradiction to the conditions referred to above the situation to-day is that against the military force of entirely disarmed Hungary, numbering 35.000 men, the armies of the three neighbouring Little Entente States, which in their hatred of Hungary are continually endeavouring to ruin our country, amount to a total of 542.000 men, even in times of peace, whereas their total war-standard may be put at least at four and a half millions.

This absolute disregard of the stipulations regarding general disarmament, which shows how the winners of the war, far from observing the conditions of the peace-treaty, are actually augmenting their armaments continually and at an enormous rate, constitutes a breach of the stipulations of the peace-treaty to the detriment of the vanquished nations such as by no adequate term can be sufficiently condemned.

The Right Honourable Henderson, British Secretary of State for Foreign Affairs, at the General Assembly of the League of Nations held in September 1930, openly recognised this breach of the peace-treaty which he denounced as worthy of the gravest censure. Later, in a speech held in England at a political meeting, he reiterated this statement in a most open and courageous manner.

From all this it will be obvious that the Allied and Associated Powers prefer living under the charge of perjury rather than discarding the only means by which the peace enforced upon the Central Powers can be temporarily maintained, that is to say, they do everything to preserve their material superiority, while continuing to keep their former adversaries in a disarmed position. It is impossible to find a better proof of the fact that the peace-treaties created by the Allied and Associated Powers can be maintained only by the violation of one of the main principles underlying these documents, and while they quite openly disregard perhaps the only obligation which the peace-treaty lays down as being their duty, they use all their power to compel us most cruelly to fulfil all those innumerable and terrible conditions which by the peace-treaty were inflicted upon us. It is to be supposed that the victors would certainly prefer to choose means which are less objectionable from a moral point of view — if there are any such means to be found — but this open breach of the peace conditions by the victors has made it absolutely evident that this peace itself cannot be maintained by pacific means.

Let us consider what this humiliating state of things means from the view-point of international law. The manifest meaning of it is that right and law are being given two different interpretations, one for the benefit of the victors, and the other to the detriment of the vanquished. This is being done in defiance of the fact that at the creation of the League of Nations it had been stipulated as a basic principle that all members of that League shall have equal rights, just as the principles of international law and its legal dispositions are and should be applied equally to all States of the world. It was further declared such nations as show the fundamental conditions of a State must observe as individual pillars of international legal order the equality of law in its application to every people, since it is as inadmissible to discriminate between States of a superior and an inferior class, as it would be within any State to classify the citizens as belonging to a superior or an inferior category. The condition of disarmament on the one side and the unrestricted liberty of armaments on the other divides the States into two classes, such as armed and disarmed peoples, and this in itself is contrary to any interpretation of international law. The perpetuation of this state of affairs is but the continuation of the war itself. From the point of view of international law only equal rights and equal duties ensure real peace; as long as this standard is not reached there is no peace in Europe, but war.

This construing of Right in a double sense in the matter of armaments, which has resulted from the open violation of the treaties, has also actuated the Allied and Associated Powers in their disregard of the stipulations of

general disarmament, and even more so in their augmentation of gigantic armaments. They care nothing that this procedure is entirely illegal and immoral. They go on proclaiming pacifism at the top of their voices, and they profess themselves as most determined anti-militarists, while all the time intensifying their own armaments. Most States of the world ratified with great eagerness the so-called Kellogg Pact which is intended to eliminate war almost entirely as a means of settlement of international conflicts and denounces armed aggression against a nation as a crime. The Kellogg Pact was signed. The handles of the filming machines were busy beyond expression, but in the meanwhile the giddy process of armaments did not cease for one moment. Why? Because in spite of the Pact there remained the absolutely irrational peace treaties, which are still considered to be valid and which nevertheless contain a multitude of dangers leading up to new wars. In spite of these peace treaties, in spite of the Kellogg Pact, in spite of the various declarations repudiating war and contained in the League of Nations' Covenant, we see that the former Allied and Associated Powers are merely concerned about their own «security».

Later, and in consequence of the propositions advanced by the Committee on Arbitration and Security, many treaties of arbitration have been concluded throughout the world. Once more we have noticed an outbreak of enthusiasm. There were some news-reels filmed and — some more and powerful armaments effected.

Technical developments and clever industrials who have a good flair or presentiment of coming armaments are producing in ever increasing numbers highly efficient inventions for the sundry War-Offices. We have to point only to the progress made in the construction of air-craft, which produced a really overwhelming effect at the recent air-manœuvres held in the U. S. A. The new battleformation of the aeroplanes which enables several hundreds of aircraft to be employed in a comparatively small space; the contrivances enabling the pilot to take an exact aim in dropping his bombs, the clouds of smoke behind which the attacks by air are being hidden as by curtains, and a legion of other innovations are the best illustration of how much sincerity there is in the «peaceful» dispositions contained in the peace-treaties concluded in and about Paris.

Along with the continual propaganda of pacifism the progress of gas industry too shows a most «satisfactory» development. The so-called persistent gases, such as the Yperit, the Adamsit, and others will remain for months on the spot where they have been released, conserving all their murderous and poisonous gases. It is contended that much greater masses of people may be killed and that they will suffer much less if persistent gases are applied against them, instead of fire-arms.

A characteristic proof of how little faith the victorious Powers themselves have in the peace-treaties which they dictated and which they have been considering up to now as being absolutely perfect, of eternal value, and absolutely unalterable, as well as an evidence that those Powers are perfectly aware of the fact that the peace-treaties are maintainable only by means of their armaments, and only so long as the vanquished nations

shall be kept in their present state of disarmament, is to be found in the circumstance that as soon as any State belonging to the former Central Powers shows signs of returning life, almost immediately that country is denounced as being intent upon a new war.

The fear of a reaction to the striking injustices contained in the peace-treaties is so strong among the victorious powers that they have been prompted by this very fear to commit new injustices. To-day these regrettable and unlawful acts have arrived at the point where they show something of the comic and grotesque.

For example history certainly will note as one of the most curious facts that the League of Nations, while on the one hand permitting the Allied and Associated Powers to produce poisonous gases, justifying this permission by pointing out that these gases are being employed *also* for the purposes of industry, the same League of Nations almost simultaneously prohibited the manufacture of gas-masks in the Central States, which were petitioning for this new means of protection in consideration of the danger to which their population was exposed by the unrestricted manufacture of gases in the victorious states. Later Hungary was granted permission to produce for the army consisting of 35,000 men gas-masks to a number of 50,000, which number is an illustration of the idea that the civil population of Hungary, that is to say women and children, are not considered as worth protecting against asphyxia by poisonous gases.

Aware of many dispositions of the peace-treaties being unendurable in the long run the Allied and Associated Powers have taken continually vexatious measures against the Central Powers, as if such vexations were able to create sympathy in the minds of the vanquished for peace-treaties which are obviously worse than bad. If the defeated peoples suffered all these vexations, exercised partly by foreign troops and partly by various committees, then the apathy and seeming lack of vitality were brought up as a charge against them. On the other hand behind every complaint and grievance of the former Central Powers the Allies and Associates were looking for a simulated misery, or an equally simulated lack of reasonable living conditions. In short, any symptoms of our regeneration have been considered as a preparation for a new war, and all our misery has created but scant interest and only from the point of view as to whether we were able to pay reparations, or whether we were only simulating this misery in order to avoid paying anything.

Notwithstanding all this our enemies might judge of the reality and sincerity of our misery by looking upon their own troubles, created by themselves through the entirely unreasonable conditions of the peace-treaty: in other words *those who dictated the peace did so in such a way that one may pertinently ask whether they did not hate their enemies more than they loved their own nation?*

### B) Ethnical aspects.

Let us now consider also the ethnical aspects of the peace-treaty of Trianon. The ideal geographic and economic unit of Hungary has been divided up, as if a child at play had cut to pieces with scissors the map of Europe.

It would be in vain to point to provisions like that by which Czechoslovakia received the gas-works of Sátoraljaújhely, while Hungary was left in possession of that part of the city which received its gas supply from the gas-works in question; or to the case of Komárom, where the municipal water-works were allotted to the Czechs and it is therefore in their power to decide whether they are willing to supply the Hungarian part of the city with water or not. We could advance that a tiny brook, the «Ronyva» was declared to be a navigable river in order to be able to point it out as a natural frontier and to cut off a greater portion of the territory of historic Hungary, in spite of this brook being so insignificant that a child is able to jump over it. These unscrupulous acts, born partly out of ignorance and partly out of blind ill-will, are more or less generally known by now. We do not intend to speak here of these territorial changes, which are so painful to Hungary, but of those wrongs which are going to cause a disaster sooner or later even in the victorious States themselves, and which must end in serious disorders in the countries which were allotted large portions out of the body of Hungary.

We think that the entire world should be interested in the irrefutable truth of the statement that no peaceful conditions can be established in Eastern Europe as long as the peace-treaty is not changed. Before the war Hungary was practically the sole country, with the exception of Austria, the population of which showed a large percentage of racial minorities. The way that these minorities were treated in Hungary is shown best by the results of the war and not by that calumniating propaganda which brought against Hungary the charge of this country having always oppressed its ethnic minorities. Everybody will understand that there can be no question of an oppression where the minorities have conserved for many centuries not only their linguistic and racial character, but have been able to develop their racial power to a degree which has enabled them to carry on an activity having the purpose of dividing up the country which up to now had given them a home. A country where the minorities are able to achieve this, is indeed, not Hell but Heaven for them, and it may pertinently be asked what will be the fate of those minorities which are living now within the new States created or enlarged by the treaty of Trianon, and where the minority element is about as important as it was in pre-war Hungary?

By the callous application of the scissors cutting up the body of Hungary the makers of the treaty of Trianon contrived to create, instead of the former Austro-Hungarian monarchy which contained a multitude of minority races, *three new States* showing the same symptoms. In very truth, if one wanted to apply to these three States the same principles as were

invented for the purpose of dividing up Hungary, all these Succession States would have to be partitioned in the same way.

For instance, it is highly significant that while a change of the frontiers as fixed by the treaty of Trianon is a common desire not only of Hungary, but also of those Magyars who are doomed to extermination by the States to which they have been allotted — there is another consequence of the peace-treaty of Trianon to be noted, and this is that by now also the Slovaks themselves are in keen contradiction with the Czechs, whereas the Croats have serious controversies to fight out with the Serbs, and that according to report even the Rumanian population of Transsylvania is at odds with the Rumanians of the old kingdom.

The union of the Czechs with the Slovaks and of the Serbs with the Croats was one of the most unfortunate schemes. It was to be foreseen that the friendship which had sprung up between the Czechs and Slovaks was only a pretext for the creation of a Great Czech empire, while the relationship between Serbs and Croats served only the aims of a Great Serbia.

In spite of the relationship dating from old time, the friendship between both these groups has always been rather bad and it was by no means improved after their political union which, on the contrary, made the situation even worse, since it soon became evident that the oppression of the Slovaks and Croats was one of the most evident points of the Czech and Serb state-policy respectively.

The Slovaks looked on with gnashing teeth at the masses of Czech legionaries and Czech officials who were brought to their country, at the Slovak factories being systematically ruined by Czech industries, and how, in connection with the agrarian reform, great regions of their country were being populated by Czechs instead of Slovaks. This is how Masaryk and Benes have fulfilled the conditions of the treaty of Pittsburgh, in which the Slovaks were assured a full autonomy. This treaty was simply discarded under the pretext of having been signed on a public holiday and consequently being invalid, while, instead of a genuine Czecho-slovak union, the foundations of a Great Czech empire were being laid before the very eyes of the poor Slovaks.

Regarding the union of Serbs and Croats this had not long since arrived at a point where the open anti-Croatian policy of the Serb government had entirely exasperated the Croats who, are able to boast of a long-standing and superior civilization. The rupture between the two peoples was prevented only by discarding the constitution and by introducing an autocratic or dictatorial system, the inauguration of which certainly could not have been the intention of the Peace Conference, which laid great stress upon the creation of constitutional democracies.

Under cover of this dictatorship, that is to say by the absolute suppression of the activity of the press or any other means of publication, there is going on in absolute darkness an activity which shows the set purpose of the Serbs to annihilate the superior culture of their Croat brethren.

Everybody could, moreover, have foretold the troubles which were to arise out of the situation created in that part of Europe. It is certain that

the struggle between the occidental and oriental civilisations — the two being absolutely incompatible with one another — will be fought out between these two nations, and it is to be feared that the conflagration will not remain confined within the limits of Yugoslavia, since the union of these entirely opposed elements, especially under the hegemony of the nation of inferior culture, is in flat contradiction to the laws of Nature.

As to Rumania, all readers of newspapers know how much the population of Transsylvania and of the adjacent parts of Hungary which have been allotted to the Rumanians, have to suffer from the Balkanic corruption of Rumanian officials brought to those parts from old Rumania. And nobody must wonder at this, since a territory with a population of relatively high civilization and accustomed to the methods of fair and honest public administration, has been placed by the peace-treaty under the rule of a country in which illiteracy had attained no less than 70%.

Occidental Europe, desirous of real peace, cannot fail to see the blunder made by the dictators of the peace in having artificially united into one State entirely heterogeneous elements which long have been and still are separated from one another by forbidding forces. They can behold now the sad situation resulting from the absolute ignorance with which they handled the affairs of the peoples living in South-Eastern Europe. Experiences to be derived from history teach us that it is easier to unite within the same State two absolutely alien races, showing no common ethnic or linguistic traits at all, than to endeavour to do the same with kindred though incompatible peoples, which through centuries of antagonism have maintained their liberty only by their isolation from the race related to them.

It should be borne in mind that the Slovaks, for instance, have joined the Czechs only because they hoped to arrive in this way at their national autonomy, which seemed otherwise unattainable. This full autonomy had been solemnly promised to them before the newly formed State of Czecho-Slovakia was ever constituted, or they never would have dreamt of being cheated out of their rights. But now they have to feel that, contrary to the dispositions of the treaty of Pittsburgh, the Slovak nation is far from being treated as an equal of the Czech people.

The situation created by the peace-treaties in South-Eastern Europe is, therefore, merely a resuscitation of the manifold and complex feuds and hatreds of the Balkans with the only difference, however, that the volcanic zone, which before the war was limited to the relatively restricted region of the Balkan peninsula, has been enlarged through the peace-treaties by the territories which formerly belonged to the Austro-Hungarian Monarchy.

And now we beg to ask : is there anybody left who, after considering all these facts, can believe for one moment that the unaltered maintenance of the peace-treaties as they were dictated in and around Paris, can be considered as a firm basis of peace, and that the granting of any desire for a revision would be dangerous and a cause of new wars?

We know there is nobody so shortsighted as to believe that !

### C) Economic aspects

It seems necessary to say a few words of what was the effect of the transformation of Eastern-Europe into a volcano upon the economic conditions of the whole of Europe, since there are many who still think that the real cause of the economic troubles should be traced back to the war, whereas their origin undoubtedly lies in the irrational peace-treaties.

If the war had been terminated by a reasonable peace, assuring at least tolerable conditions of life, then during the period which has elapsed since, not only the mourning for those who left their lives on the battlefields would have subsided, but everybody would have forgotten long ago even those material losses he had to suffer in the war itself.

Alas! — Just the contrary happened.

Firstly a great portion of Europe — from the Rhine to the Black Sea, and from the Baltic to the Adriatic — was made, as if on purpose, sick by the peace-treaties. The disturbed economic conditions of this enormous territory have spread subsequently all over Europe. The second symptom is a perfectly natural consequence of the first, since it is obvious that from the moment when the East-European markets lost not only their producing and selling but also their purchasing power, the Western states too were necessarily disabled from selling their products to these countries, or of deriving raw material therefrom. Both evils were bound to lead up to the present crisis.

It is highly significant that victorious Great Britain has to struggle against unemployment, just as has Germany and even Hungary.

There are hosts of unfortunates in all countries who, driven by the despair of their misery and considering themselves as the outcasts of humanity, with a dizzy brain and tottering knees, are dragging themselves along to some spot where they may hope to find a modest living, convinced that there must be somewhere in the world where conditions for them will be better than at home.

Every State is keen on shutting its doors against the import of foreign goods, with the purpose of protecting home industries, forgetting, however, that similar measures are being taken by all neighbouring countries. The combined effect of this customs' policy has been highly successful in ruining the exchange and traffic of goods all the world over.

This is how the practically ideal division of labour, as it existed in the sound economic unit represented by pre-war Europe, has been broken up. The great organisation in which there were, on the one hand, typically industrial States, and on the other predominantly agrarian countries each able to provide the other, as well as the world at large, with their respective products and receiving fair compensation for them, was brought to a most unfortunate end.

The now dismembered great economic entity of Europe within which each State found its natural economic role and by which it was able to co-operate towards general prosperity, while at the same time enjoying

the legitimate profit derived from well accomplished work, has now been broken up into small economic units plotting against one another and scheming to each other's detriment. The peoples of Europe are to-day possessed by the idea that the abolition of free trade, the home-production of all goods, the restriction of imports, and an active foreign trade balance are the sole roads to prosperity. Now, may we ask, is there any way out of this unfortunate system by which humanity has been thrown into such an unprecedented chaos and misery?

A harmonious and satisfactory co-operation of European nations is absolutely impossible until the wrongs which the scissors of Trianon, in reshaping the frontiers of the countries, have inflicted on the community of European peoples, have been righted.

The victorious industrial powers of the West may see for themselves by now how dangerous it was to wreck one of the two inseparable and mutually dependent factors of economic life, the producer on the one hand and the consumer on the other. The Eastern consumers were brought to penury, and this has necessarily resulted in ruining the Western producers too.

This is why the number of bankruptcies of industrial and commercial concerns is enormously increasing both in the victorious and in the defeated countries. Everywhere there are shops to let and whole streets with shutters pulled down, where formerly the eagerly creative industrial machines had been pulsating to the benefit of mankind. These closed and gloomy shops are like deserted trenches, whence the troops have been expelled by the enemy. And, indeed, were not the heroes of trade expelled from these by the irrational peace-treaties? These empty shops, so many vacated trenches of economic life, are they not a tragic testimony to the cruelties of the peace rather than to those of war? And is it not high time that the world should realise that the peace-treaties, but especially the treaty of Trianon, have become the motive power of a most cruel economic war, in which there are no victors but only losers; a war which has vanquished even those Powers which dictated and signed these hollow peace-treaties with the haughty gesture of the conqueror.

We are far from pretending that the world crisis has no other causes whatever than the irrational dispositions of the peace-treaties. We feel compelled to understand that the glorious and unforeseen technical progress which began in about the first decade of the XXth century, and which Wells termed «technical revolution», has also contributed a great deal to the crisis weighing on all nations of the world. It is perfectly true that by this enormous development of technical science human labour was superseded by machinery at a rate which is a real danger to the purchasing power of the human race. Of course, the peace-treaties cannot be made responsible for this phenomenon. But they, and exclusively they, must be blamed for having created the general misery now prevailing everywhere, because they have ruined the vanquished peoples by compelling them to pay reparations, while on the other hand the victors have to provide for the horrible sums to be spent on the incubus of the gigantic armaments without which the unjust and highly dangerous peace-treaties obviously cannot be

maintained. For all this and for having blown up the economic unit of Europe the dictators of the peace alone are responsible to the world.

The misery created by the peace-treaties and by the disorganisation of the former economic units of Europe set in just at the moment when it was most necessary to provide for the cure of many social evils and for the re-establishment of economic order. But nobody thought of all this, and those who have profited by the victory of the Allies have been even flattering their senses by still intensifying the sufferings of the vanquished and by going on demoralising economic organisations, which for centuries have been serving the interests of international trade.

In consequence of the extravagant reparations claims the defeated nations became the debtors of the victors, and even the latter have to labour under their mutual war debts. By introducing the spirit reigning as a rule between creditors and reluctant debtors this activity contrived to divide up the world into States, nations, and peoples all imbued with mutual hatred and the desire to injure each other as much as possible.

Therefore it is a truism to assert that when seeking for the real causes of the world crisis we must find that the breaking up of the large economic units, the abolition of Free Trade, the wrecking of the purchasing, as well as of the selling capacity of the European markets, in short the immeasurable intensification of the world-crisis, have to be attributed in the first place not to the world war, but to the miscarriage of the provisions of the peace-treaties.

These are the main causes of the world-crisis. Without these irrational dispositions humanity could have overcome comparatively easily those additional difficulties which followed, without being in any direct relation to the world-war. But in the meantime economic conditions all over the world are proceeding every day from bad to worse. Who will be strong enough to stop this process?

Students of law, politicians, experts of the science of national economy, and diplomatists are all of them busy to find some solution to the economic world-crisis, but unfortunately they are all making it a preliminary condition that the peace-treaties are unalterable. If in due time they may be able to reason without being hindered by this «taboo», they will realise at once that it is just the revision of the peace-treaties which is the first stipulation for any possible salvation from universal economic ruin.

#### IV. CONCLUSION

We, the lawyers of Hungary, an unhappy country which has been unjustly punished by the peace-makers, beg you, our colleagues throughout the civilised world, to co-operate with us — not only in the interests of Hungary but for the benefit of the entire world — with the purpose of contributing with your wisdom and influence towards making it clear to the Governments and citizens of all nations, victors, vanquished, and neutrals alike, that the peace-treaties are so far from representing a sure

basis of peace that only by a reasonable revision of these brutal and irrational treaties, and the creation of a just and wise instrument of peace in their stead, can Europe, after all the horrors of the war at last be able to enjoy the blessings of peaceful development and prosperity.

It would be a great mistake to believe that — even as the outbreak of the war was a natural phenomenon — the peace-treaties as dictated by the Supreme Council too should be considered as a natural conclusion of the war. The argumentation advanced in these pages affords sufficient proof that the present peace-treaties are neither a natural issue of the world conflagration nor in conformity with European public opinion.

No! this peace-treaty was dictated by a handful of men in power, whose minds were clouded by the mist of war-hatred. Everybody may see by now for himself that these treaties created by dictators blinded by passion, constitute an artificial but very efficient impediment to the realisation of the desire for genuine truth for which masses in all the States of Europe crave. This treaty was born in a spirit of hatred, and hatred can generate only war, whereas peace, real, genuine, and blissful, peace, is the child of love.

The hatred of war-times seems to have evaporated now from the minds of mankind. Those powerful architects of the future among the victorious powers, who with the pen made out of the feather of the peace-dove, inserted deadly prescriptions among the various articles of the peace-treaties have passed away. Their place is being occupied to-day by men whose minds reflect the spirit of their peoples and whose heart is full of the feelings of their nation.

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It does not behove the lawyers of Hungary to suggest the details of a scheme which might ensure genuine peace all over the world, since such an ideal peace must be the issue of the reasonable and uniform volition of the community of peoples. It is this uniform and mutual volition of all nations at which we must endeavour to arrive, since it is this mutual volition which makes a treaty, no true treaty being, alas, discoverable anywhere among the present peace documents.

From the point of view of the proposed revision we desire only to emphasize how flippantly the peace-conference decided the fate of Hungary without ever having taken the trouble of studying or even answering the amply and fairly grounded propositions which the Hungarian government handed in to them. The laboriously compiled and valuable Hungarian arguments having been left out of consideration at the peace-conference we beg to refer to them now as a material which, published by the Hungarian government at the time of the peace deliberations, is even to this day absolutely suitable to serve as a just basis for the details of any fair revision of the universally detrimental peace-treaties. This material is a striking object lesson of how simple and easy it is, merely by disregarding any argument, to upset the destiny of a thousand years old country.

The famous letter of M. Millerand, with which he handed over the

peace conditions to Hungary, informed the Hungarian government of the decision of the dictators, according to which even if some propositions of Hungary should have received no answer, this circumstance was not at all a sign of consent to any such proposition. It seems that this general formula was considered entirely sufficient at that time to cover all emergencies.

The same letter contained the promise that the injustices committed in drawing up the new frontiers of Hungary should be eliminated by a subsequent procedure. This was the promise whereby Hungary, embittered at the territorial losses inflicted upon her, was induced to sign the treaty of Trianon. This prospect, which obviously is equal to a formal promise of a revision of the peace-treaty, has turned out, according to all our later experiences, to have been put forward in «*mala fide*», to have been in other words a trick played upon Hungary.

Such is the basis underlying the Treaty of Trianon. Such are the foundations of that instrument of peace from the consequence of which victors and vanquished alike have been bleeding these ten years! We hope and we believe that the knowledge of those great perils to which the victorious and the defeated peoples of the world are equally exposed, has reached by now the great majority of civilised mankind, and that the dangers contained in the peace-treaties are at this moment not only suspected but clearly visualised by all friends of peace. Perhaps only this outcry, coming from the very soul of the unjustly tortured Hungarian nation, was lacking to awaken the conscience and the innate sense of right and justice of the world.

We look forward especially to commonsense getting the upper hand among the peoples of the Great Powers, whose position as such is highly imperilled by the false doctrines laid down in the peace-treaties, such as, for instance, the doctrine contained in the famous letter of M. Millerand, which despite its utter hollowness has achieved in the meantime a considerable career.

The world cannot dispense with the lead of the Great Powers. And we too are expecting of them that, by a fair revision of the peace-treaties, they will not only do justice to Hungary, but assure in this way peace and welfare all the world over.

We believe in the success of our action, since when all is said the question amounts to the following: the world has to choose between two means in order to arrive at a solution of the present absolutely untenable situation — peace or war. — Yes! we repeat it; the two ways are either peace or war. This is the great question. And it should be borne in mind that this question has not been brought up by the discontent of the vanquished, but is one which, emanating automatically from the miscarriage of the peace treaties, is advancing like a storm and is already shaking the foundations of the community of peoples.

Shall we choose war, which the victorious powers of the world seem to be so afraid of, judging from their enormous armaments? Or shall we abide by a peaceful solution as pointed out in Art. 19 of the League of Nations?

Covenant which says that : «The Assembly may from time to time advise for the reconsideration of Members of the League treaties which have become inapplicable and the consideration of international conditions, whose continuance might endanger the peace of the world.»

The community of Hungarian lawyers and law-students, permeated by the desire for a genuine world-peace, raise their voices unanimously in order to arrive at a peaceful solution of the present dangerous situation, urging the revision of the treaty of Trianon on the strength of Art. 19 of the Covenant, as quoted above.

Those who are inclined to prefer a solution by war instead of this peaceful scheme, or who, by rejecting both methods evoke the spectre of future wars, must not forget that another world war would certainly be the final scene in the tragedy which was brought upon suffering and bleeding Europe by the irrational peace-treaties. It is of practically no interest who would be the victor in such a new war. Only one thing is sure, the vanquished would perish in their defeat, while the victors would be ruined by their very victory. The issue will be the same for both : the death of Europe.

OSZK

Országos Széchényi Könyvtár

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Országos Széchényi Könyvtár