

Norms and Politics of State Formation in the International System: The Case of Current Political Map of Eastern Europe

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Abstract

The emergence of state system in the history of mankind brought alongside issues that border on the modalities for its existence. There has actually not been any known rigid formula for its emergence. This has been eliciting excitement and, on many occasions, conflicts among proponents and opponents of rigid state system devoid of birth of new ones as the case may be. The onus of this paper is to ascertain that states are formed from time to time by way of disintegration or merger. In doing this, historical, legal and political factors are taken into consideration.

Introduction

Origin and essence of state have most often elicited puzzles and controversies in social and political studies over the ages. The essence of the existence of state is, unarguably, for proper beneficial coordination and harmonization of social, political, economic and scientific needs of the human society. Marxist school of thought contends that states emerged as a result of development of class and class struggle: It therefore holds the view that every state is designed for the purpose of exploitation of the masses (usually the peasants and the proletariats) by the ruling class (the slave masters, feudalists or aristocrats, and the bourgeoisie) (Lenin 1977:19) Marxist states of Eastern Europe and beyond tried to correct the injustice of exploitation of man by man. However, their efforts met a 'waterloo' in 1991 when socialism crashed out of Europe.

The first Marxist state in world history emerged after the success of

the Bolshevik revolution of 1917 in the territory of Old Russian Empire and was named the Union of Soviet Socialist Republics (U.S.S.R) in 1922 (Carr 1969:15). After the end of World War II, more of such states appeared in Eastern Europe and they were Albania Bulgaria, Czechoslovakia, German Democratic Republic (G.D.R) Hungary, Poland, Romania and Yugoslavia. Marxist/ Leninists who were in control of these states held the belief that they and such other socialist states that were expected to emerge later were mere transit political entities which would wither away after an anticipated inevitable triumph of communism over capitalism. (Mysik 1983:21). About forty six years after the end of World War II one of these states, the German Democratic Republic (East Germany) 'withered' away through re-unification with the Federal Republic of Germany (West Germany) , while the Union of Soviet Socialist Republics, Czechoslovakia and Yugoslavia disintegrated into several independent political units.

This historic political development is the onus of this paper. In making a historical analysis of the emergence of new states in Eastern Europe a brief appraisal of the concept of state is to be made here. An insight into earlier state formations is to be also carried out. It is hoped that this work shall provide a historical modality on political creation of new states in the international system.

The concept of state

A state is generally considered as "the principal example of international person" in international law. It is an entity created through a fusion of nationalities or even by a single nationality (Henkin, et al, 1980:168). A state wields authority over people and exercises control over a definite territory which is made up of land, water and air. The rationale behind the existence of state as well as its origin is marred in obscurity, but it has been observed by social scientists that it (a state) derived its early existence through implied consent of the individuals that make up a given society. Jean Jacques Rousseau in his famous treatise, "The Social Contract", postulated that states and governments arose as a result of contract between the leaders and the led. This contract, as espoused further by

Thomas Hobbes, Benedict Spinoza and others, embodies within it the surrender of collective rights and liberties of the people who make up a society to a higher entity called the state which in return guarantees and protects the rights and liberties of the people (Dialego, 1977:101-103). A state, when thus created, effectively takes control of the territory of the inhabitants that created it. On this premise the essence of statehood can best be arguably appreciated from the assertion that "... states are the repositories of legitimated authority over people and territories ..." (Wolfgang 1964:214).

Questions have been severally asked on when an entity can possess the status of statehood in international relations. These occur usually when given extraordinary political developments result in controversy on both domestic and international scenes. Such developments include secession, disintegration, annexation and unilateral declarations of autonomy from a colonial master. The Montevideo Convention on the Rights and Duties of States which was signed on December 26, 1933 provided the yardstick for universal determination of what constitutes a state. Initial signatories to it were the following sixteen countries, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, EL Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, United States, and, Venezuela. Article 1 of the convention stipulates that, "the state as a person of international law should possess the following qualifications: (a) a permanent population (b) a defined territory; (c)government; and (d)capacity to enter into relations with other states". The provisions of article 1 of the Montevideo convention had on many occasions been misinterpreted by certain entities that sought to attain statehood and apply for membership of international organizations. The Kurds of Iraq and Turkey, as well as the Tamil Tigers in Sri Lanka among numerous others have been laying claims to the stipulations of article 1 of the Montevideo convention in their struggle for self determination (Henkin, et al 1980).

The Montevideo convention which came into universal force of law in 1979 has its lapses and is therefore not exactly a comprehensive instrument for the determination of statehood. As a result, it cannot be

adequately relied upon when the need to proclaim the status of statehood on an entity arises. It only provides the way by which an entity can satisfy the final prerequisites required of a state. Any entity that bears the qualification stipulated by the convention needs to be recognized by older states (Adaramola 1990: 165). Recognition of a new state is described as,

the free act by which one or more, states acknowledge the existence on a definite territory of a human society politically organized, independent of other existing states, capable of observing the obligations of international law, by which they manifest therefore their intention to consider it as a member of the international community (Lautherpacht 1963:6).

The act or use of recognition in determining the status of an entity as a state has given to two theories and at least one doctrine namely, the constitute theory, the declaratory theory and the Estrada doctrine, (Bierly 1963:54-55). The constitutive theory is based on the notion that older states create or constitute a new state through recognition. Declaratory theory on the other hand posits that the factual existence of a state in line with the provisions of international conventions makes its recognition a mere declaratory affair.

The Estrada doctrine is a proclamation of the government of Mexico in 1930 through its foreign minister Mr. Estrada. It asserts that recognition or non recognition of governments shall not constitute necessary grounds which must be met before an entity should be treated as a state in international relations. Many states concur with this doctrine, (Whiteman 1963: 85-87).

Determination of an entity's statehood does not always constitute a problem in international relations. States that achieve political independence from their colonial masters as well as those that emerged after successful revolts or as a result of disintegration of the predecessor state do not pose significant or enduring problem of being accepted as such.

An insight into earlier state formations

Sovereign states as we have them today did not exist until the end of the middle age. During the middle age, the Holy Roman Empire existed in Europe as a mono state. It operated on the on the concept of Pax Romania which was based on claims to universal authority of the Pope as the head of the spiritual affairs and the Emperor as the temporal head of virtually all Christians nations of Europe (Henkin et al, 1980: 1). Universal secular and spiritual empire existed also in China in about the sixth century B.C. Chinese Philosophy derived from the teachings of Confucius proclaimed the Chinese rulers "sons of heaven", "superior fathers" or "elder brothers" of other nations in Asia.

At the apogee of its glory, the Holy Roman Empire was made up of different races, nations and religions. The empire disintegrated by the end of the fifteenth century after the reign of Emperor Fredrick III in 1493. Sovereign states that emerged from the ruins of the empire included England, France, Prussia, city republics of Genoa, Venice Milan and numerous others.

The Thirty Years War (1618-1648) facilitated the conclusion of Westphalia which enhanced the principle of sovereignty in international practice and the emergence of more independent kingdoms and states in Europe. In earlier centuries before then, intensified international trade which was spurred by improvements in navigation and military techniques led to discovery of many distant lands by Europeans. The West Indies was discovered in 1492 by Christopher Columbus. Following his footsteps, a daring voyager Amerigo Vespucci sailed further west and opened up the vast territory of the "New World" (later named America after him) for exploitation and settlement by Europeans. This led to the establishment of Portuguese, Spanish, English, French and Dutch colonies and settlements. Between the eighteenth and twentieth centuries, these settlements and colonies became independent sovereign states. Canada in 1877 was granted a quasi independent status as a dominion within the British Commonwealth. The colonists uprising in the English colonies of North America led to war of independence that gave birth to the United States of America. Simon Bolivar, a fiery Amerindian nationalist inspired

and led insurrections that accelerated the independence of Bolivia, Peru, Argentina, and a host of Latin American States. In the Caribbean, Garveyism and Pan Africanism inspired the movement for self determination in Jamaica, Trinidad and Tobago, Grenada and others. Haiti had earlier in 1871 emerged the first black sovereign state in the western hemisphere after a successful revolt led by Oliver Trouissant against Napoleon Bonaparte's France (Alex Harley; 1978:609).

In the eastern and pacific world, new states such as Australia, New Zealand and Samoa were created through settlements or colonialism in addition to older ones like Japan, China and Mongolia. Others like Pakistan, North Korea and South Korea emerged as a result of internal conflicts abetted by external forces (Alperovitz 1970: 34, 50).

In 1870, Prussia and other German states except Austria were united as German by Otto Von Bismarck. Italy emerged at the same period through the union of Genoa, Sicily, Milan, Venice, Florence and other Italian trading posts and cities. After the Vienna congress of 1815, Hungary came into separate existence from Austria. The fall of the Ottoman Empire gave rise to Balkan States of Bulgaria and Croatia among others. Finland came into being in May 1918 after a civil war (Palmer 1957: 23-31).

Subjugation and colonization of Africa by Europe in the nineteenth and twentieth centuries resulted in the formation of over fifty entities (Chinweizu 1978:55) and by the year 1994 they had all become sovereign states after successful anti-colonial struggles.

The emergence of east bloc states

The east bloc was a corollary to west bloc and was a phenomenon used during the cold war era to describe those states that embraced socialist ideology and were political and military allies of the former Soviet Union. Their western rivals often called them satellites of the former U.S.S.R. Virtually all of them were members of the defunct Warsaw Treaty Organization (also known as Warsaw Pact) and belonged to a defunct economic integrative organization known as COMECON.

Between 1940 and 1941, when the Second World War was raging, Hungary, Romania and Bulgaria afraid of Soviet domination willing joined

the Axis alliance. In April 1941, Hitler's Germany overran Yugoslavia. Earlier in 1939, Germany had overrun and occupied Czechoslovakia and seized the Lithuanian city of Memel. Also after concluding alliance with USSR through the Molotov-Ribbentrop pact in August 1939, Germany invaded Poland on September 1, 1939 (Duffy, 1983: 140-142).

By the spring of 1941, German surprisingly invaded the USSR and in a matter of months most of European parts of Russia fell to the Germans. In virtually the whole of Eastern Europe, Germany was in control and Nazi tyranny there was very terrible. Part of Nazi creed proclaimed the Jews and Slavs sub humans who must be treated with indignity. Hitler's ace man Himmler openly boasted that "...whatever happens to a Russian or Czech does not interest me in the slightest..." even if he died "... from exhaustion while digging an anti tank for Germany ..." (quoted in Duffy, 1983:173).

Determined to liberate the Slavs and safeguard the socialist ideology, the Soviet armed forces (the Red army) embarked on series of positive counter offensives against the Germans. They recorded spectacular advances and by august 1944, they were on the outskirts of the polish capital, Warsaw. At the same period they had advanced to the Baltic and Balkan areas and overran Finland, Latvia, Estonia, Romania, Hungary and Bulgaria and linked up with communist guerrillas in Belgrade, Yugoslavia. In April 1945, the Soviets reached Berlin, the capital of Germany and on May 7 1945, the Nazi Germany surrendered.

The end of this war created a new political map of Europe in the mid twentieth century. Baltic States of Latvia, Lithuania and Estonia together with large tracts of Poland were incorporated into the USSR. Yugoslavia and Albania embraced socialist ideology and were followed by Romania and Bulgaria in 1946, Hungary and Poland in 1947, and Czechoslovakia in 1948. When the Federal Republic of Germany was proclaimed in 1949, the German Democratic Republic which was under Soviet control became socialist.

End of cold war and the change of political map of eastern Europe

In 1982, the moderate but hard line Soviet leader Leonid Brezhnev died.

He was succeeded by the former head of Soviet secret intelligence organization, KGB, Yuri Andropov. Andropov died after being in power for barely two years and was succeeded by an ailing conservative Konstantin Chernenko who also kicked the bucket in 1985. During this period Soviet – U.S. relations was marked by rise in tensions after a significant period of détente. There were serious differences between the two powers over Nicaragua, Grenada, Afghanistan, arms race and disarmament, etc. Realizing the need for energetic approach to these problems, the Communist Party of Soviet Union sought for a vibrant young leader who would mount the saddle of leadership of its country. At the plenum of the party in April 1985, Mikhail Gorbachev, aged 53, was chosen as the Soviet leader. He introduced wide range of reforms through perestroika (restructure) and glasnost (openness). To mollify his western adversaries he embarked on troops withdrawals in Eastern European and Afghanistan. He also declared unilateral moratorium on production and test of nuclear weapons and meaningfully engaged the U.S. in disarmament talks and deals.

At a summit in Malta in December 1989 between Mikhail Gorbachev and President George H. Bush of U.S.A. an agreement was reached by the U.S.S.R. and U.S.A. to cut by half their stockpiles of nuclear weapons. At the end of the summit, Mikhail Gorbachev announced that the cold war was over. He had earlier in July of same year proclaimed at Strasbourg that countries of Eastern Europe had the right to choose their respective desired social and political systems without Soviet prodding (Echezona 1993: 24, 27).

Perestroika and glasnost ushered in a new era in Eastern Europe. Soviet dissidents were released and some of them got elected into the Soviet parliament. Foremost among these dissidents was a renowned nuclear scientist Mr. Andrei Sakharov (Izvestia, May 13, 1990). Constituent Soviet republics had at this time begun to demand for autonomy. One of them, Lithuania, declared independence from Moscow in 1989. Its sister Baltic republics, Estonia and Latvia soon after began making demands for independence. These developments were clear indications that Moscow had begun to lose control over the constituent republics of the Soviet

Union. There were anti Soviet rallies in the union's republic of Georgia. Two other republics of the union, Armenia and Azerbaijan were engaged in armed struggle over the ownership and political control of the territory of Nagorno – Karabakh and Moscow was ineffective in resolving it. In August 1991 disaffected communist hardliners in Moscow staged a coup against Gorbachev but failed. The failure of the coup led to the final destruction of firm grip of Moscow over the republics. The Baltic republics – Estonia, Latvia and Lithuania took advantage of the situation and quietly slipped away from the union. Uzbekistan also declared autonomy from the union in August 1991 shortly after the botched putsch. Soon after this, the Rada, Ukraine's parliament led by its chairman Leonid Kravachuk declared the readiness of Ukraine to quit the Soviet Union. A referendum to legitimize Ukraine's declaration of independence was conducted on December 1, 1991. The result was over 90 percent affirmative vote in favor of independence. On this basis Poland and Hungary granted Ukraine recognition and were the first country to do so. Germany which was the first to recognize the Baltic States followed suit in recognizing Ukraine. On December 8, 1991 the leaders of Russian Federation, Belarus and Ukraine met in Belarus capital Minsk and reached an agreement to form the Commonwealth of Independent States (CIS) to replace the Soviet Union... This act occasioned the formal disintegration of the USSR. Fifteen new sovereign states, the Russian federation, Ukraine, Belarus, Lithuania, Latvia, Estonia, Moldova, Georgia, Kazakhstan, Azerbaijan, Armenia, Uzbekistan, Kirghizia, Turkmenia and Tajikistan emerged out of it.

Other socialist states of Eastern Europe also reformed and dismantled socialism. Some of them broke up into different sovereign entities. In 1989 the Berlin wall fell in East Germany and the government of Eric Honecker collapsed. Germany got re-unified in 1990. Communists were swept out of power in Czechoslovakia and the country was later split into two sovereign states - the Czech Republic and Slovakia. In Yugoslavia, bloody revolts (some of them escalated to a level of crimes against humanity) led to the disintegration of the federation. Slovenia Croatia and Bosnia-Herzegovina became independent after different series of protracted wars with Serbia, Montenegro. On the other hand, Macedonia

and Kosovo took advantage of the disorientation in Belgrade and the sympathy of the international community to assert their statehood but legitimized their actions through referendum.

Conclusion

With the exception of Eritrea in Africa, every other new state of the world since the past two decades comes from Eastern Europe. The circumstances behind this are obvious. Socialism promoted the myth of international fraternity and sought to wield incompatible peoples together. It also failed to take into consideration due process of state formation such as, the consent of people in a social contract, when the USSR dubiously incorporated the Baltic States into its fold. This wrong path was obviously toed by Yugoslavia and Czechoslovakia.

States that seek mega status through expansion or fusion of nationalities can best achieve such through dialogue and non-violent engagement. This had been the case in the United States of America in the eighteenth century. Apart from this means, other historical records of state formations came as a result of disaffections accompanied by revolts which lead to partial or total disintegration. Chaotic politics of conflict of interests of nations prevalent in international relations will only lead the world to cases of resentments, revolt and even wars fought for separation of incompatible entities.

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