Cold War Sovereignty

An analysis of the ambiguous use of the term sovereignty in the Federal Republic of Germany, the German Democratic Republic, and the Republic of Finland 1945—1991

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Abbreviation index

CDU	*Christlich Demokratische Union*
CIA	Central Intelligence Agency
Comecon	Council for Mutual Economic Assistance
CSCE	Conference on Security and Co-operation in Europe
ČSSR	Czechoslovak Socialist Republic
CSU	*Christlich Soziale Union*
DP	*Deutsche Partei*
DPs	Displaced Persons
ECSC	European Coal and Steel Community
EDC	European Defence Community
FDP	*Freie Demokratische Partei.*
FRG	Federal Republic of Germany
GDR	German Democratic Republic
GG	*Geschichtliche Grundbegriffe*
ISO	International Organization for Standardization
KGB	*Комитет государственной безопасности*
NATO	North Atlantic Treaty Organisation
NSDAP	*Nationalsozialistische Deutsche Arbeiterpartei*
NVA	*Nationale Volksarmee*
R2P	Responsibility to Protect
SEATO	Southeast Asia Treaty Organization
SED	*Sozialistische Einheitspartei Deutschlands*
SOFA	NATO Status of Forces Agreement
SPD	*Sozialdemokratische Partei Deutschlands*
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
US/USA	United States of America
USSR	Union of Soviet Socialist Republics
VSB Treaty	*Vänskaps-, samarbets- och biståndsavtalet*
WEU	Western European Union
YYA Treaty	*Ystävyys-, yhteistyö- ja avunantosopimus*

Abstract

This thesis examines the multifaceted and often contradictory use of the concept of sovereignty during the Cold War, focusing on the Federal Republic of Germany, the German Democratic Republic, and the Republic of Finland between 1945 and 1991. Employing Reinhart Koselleck's *Begriffsgeschichte*, or conceptual history, as its theoretical foundation, the study explores how sovereignty, far from being a static or universally defined concept, evolved through its use in historical, political, and legal contexts. Sovereignty is approached not as a fixed legal term but as a dynamic and context-sensitive concept, shaped by power relations, ideological pressures, and historical contingencies. Through the analysis of international treaties, legal texts, and political communication, the thesis identifies many ambiguities, highlighting the complex interplay of internal, external, and limited sovereignty within the framework of Cold War geopolitics.

By applying both diachronic and synchronic perspectives, the thesis reveals how sovereignty was claimed, undermined, and redefined by actors positioned between the opposing Eastern and Western Blocs. The cases selected illustrate the tensions between formal independence and practical dependence, legal sovereignty and political reality. Rather than offering a singular definition, the study argues that sovereignty operated as a contested and malleable concept, employed both as a tool of legitimation and as a rhetorical device in diplomatic discourse. This nuanced approach allows for a more comprehensive understanding of how sovereignty functioned under the conditions of superpower rivalry and ideological division. Ultimately, the thesis demonstrates that sovereignty, though elusive and often ambiguous, remained a vital reference point in shaping Cold War international relations and continues to influence debates in contemporary political theory and global affairs.

Keywords**: Sovereignty — Cold War — Conceptual History (*Begriffsgeschichte*) — Federal Republic of Germany (FRG) — German Democratic Republic (GDR) — Republic of Finland — International Treaties — Ambiguity**

1. Introduction

"Of course, Germany is a sovereign state, but we do not have a sovereign government",[1] claims Sahra Wagenknecht, an influential politician of a new party in Germany, the *Bündnis Sahra Wagenknecht,* which only barely missed accession into the German parliament within a year of its founding in 2024. This statement, made in an interview on German sovereignty following the decision to station American cruise missiles in Germany, is reminiscent of the debates and tensions surrounding the North Atlantic Treaty Organisation, NATO, dual-track decisions during the Cold War. Sovereignty, often reduced to the ability to have full agency in issues of domestic affairs and territorial integrity, has resurfaced as a major political point of debate and is as present in international politics as it was during the height of the Cold War.

From the symmetrical war in Ukraine, where both Russia and Ukraine claim to defend their sovereignty, one party on the defence and the other one on the offence, to the complicated claims of sovereignty in the Palestine conflict, muddled by ethnic and religious conflict, sovereignty remains an issue in politics, diplomacy, international and domestic law, as well as history.

To understand how sovereignty is interpreted and applied in a multitude of ways, often in directly contradictory claims, it is important to show that no single definition can provide an explanation and solution that fits all cases. Thus, it is necessary to approach such a term in a systematic and theoretical manner to see each application of the term in the context of its entirety. While linguistics, lexica, and political handbooks can help, an approach centred on one single term, intricately tied to a multitude of implications, mandates a detailed look at its history. While it is possible to outline the general development of the usage of one term, the sheer volume of instances found over history makes finding nuance difficult. Therefore, the scope of such a study must be clearly delimited in the selected topic, time frame, and source material.

The term chosen for this study is sovereignty, the time frame is the Cold War from 1945 to 1991, and the source material is limited to international treaties, legal texts, and diplomatic communication. The scope extends to the Federal Republic of Germany, the German Democratic Republic and the Republic of Finland. A key issue will be the ambiguous use of sovereignty, leading towards the research question: "In what ways did historical interpretations, contextual usage, and contemporary power dynamics shape the application of the concept of sovereignty in international politics during the Cold War?"

To tackle such a daunting task, a staunch adherence to theory is required. A reductive act in itself, the limits imposed on the scope of this study need to be justified, narrowing the object of

[1] German: "Natürlich ist Deutschland ein souveräner Staat, wir haben aber keine souveräne Regierung.", '*Caren Miosga*', ARD, 8 Sep. 2024, sc. 17:10.

research down to the relevant while still keeping the larger picture in mind. To overcome this issue, this thesis will begin by presenting the main theoretical influence on it, conceptual history, or *Begriffsgeschichte*, as established in its German original by the late historian Reinhart Koselleck. While other streams of historiography have been considered and influential in the writing of this thesis, conceptual history offers a more holistic approach centred around exploring the plurality of meanings associated with one single term, which, through this exact ambiguity, turns into a concept, not just a mere term. This allows for the leeway necessary to navigate the multitude of contradicting uses of the term, employing both diachronic and synchronic approaches, while still keeping room for interpretations arising from each specific context. It is important to maintain a critical perspective when relying so heavily on one theory, especially considering the age of Koselleck's theory and the author's close ties to National Socialism and his admiration for fascist authors such as Carl Schmitt.[2] To this end, extensive chapters on other schools of thought and alternative approaches will be provided.

Following the outlining of the theory, it will be put to the test on the thesis topic. Sovereignty, as already established above, is a word associated with many meanings and nuances, and has many different connotations, differing heavily from language to language. Its linguistic roots and modifications will be analysed to clarify inherent obscurities, providing the background necessary for the following study. Although contemporary uses of the concept of sovereignty are beyond the scope of this thesis and enter the domain of political theory, current issues remain important, as modern connotations inevitably shape both the author's and reader's understanding of this ambiguous term.

To provide some clarity, a coherent and cohesive methodology will be employed. Based on the results of the evaluation of the conceptual history of sovereignty, three relevant approaches, each fitting the topic and timeframe of this thesis, will be delineated. To apply these and to prove their usefulness, three major contexts will be examined in detail. Starting with an overview of the political situation after the Second World War and the beginning of the Cold War, the Federal Republic of Germany, the German Democratic Republic, and the Republic of Finland will be presented, highlighting their ambiguous legal situation and their complicated position in the power struggle between the Eastern and Western Blocs. It is precisely because of these special circumstances that these countries have been selected for further analysis, as will be explained below.

A holistic analysis of the usage of the concept of sovereignty in each case would not be possible. Thus, the analysis will be conducted within specific source types relevant to all cases. Each state will be examined with one document from each of the three source types, amounting to three documents for each state, for a total of nine case studies.

[2] Olsen 2011, p. 197.

The first source type will be the multitude of international treaties brokered and signed during the selected time frame, as they are one of the most accessible and impactful types of sources available. These treaties are also suitable because of their very static and monolithic employment of sovereignty, thus providing interesting and complex scenarios against the theory above can be tested.

The second source type is legal texts. National legislation during the Cold War, especially in the cases of this thesis, played a major role in regulating the relations between allied countries. Present overtly and implicitly in laws, addenda, and regulations, the concept of sovereignty is used diversely throughout the cases, allowing for an interesting in-depth study of the source material.

Thirdly, the final source type studied will be political and diplomatic communication. Not as strictly codified and officious as the documents analysed before, diplomatic and political communication allows for more leeway in tackling the concept of sovereignty. A wide range of source types, from diplomatic communiques, press releases, to personal correspondence between political actors, can be considered here. This opens this thesis to a more informal aspect of history, removing the restrictions of diplomatic history. The inclusion of sources not necessarily meant for publication completes the attempt of this thesis to provide an overview of the versatility and ambiguity of the concept of sovereignty during the Cold War.

A conclusion, comprising a discussion of the incongruities that arose between theory and application as well as a critique of the theory employed, will lead to the final chapter, highlighting ongoing issues in the usage of the concept of sovereignty in contemporary situations. It is the author's intent to provide some background and useful theoretical insights in dealing with such a complex term, which is poised to regain significant influence in the wake of a resurgence of armed conflict, transnational and supranational integration, and hybrid threats to democracy.

2. Sovereignty throughout history

Hearkening back to times when democracy, supranational organisations, and international law were but a far-fetched utopia, the term sovereignty gradually formed in the Latin-speaking regions succeeding the Roman Empire, specifically within newly developing Romance languages. Especially French was significant in the further development of the term, as it gained a significant foothold in writings on political theory. Initially limited to descriptions of geographical features such as peaks, sovereignty gradually developed into the current gargantuan concept with its multitude of meanings.[3]

[3] Brunner, Conze, & Koselleck 1972a, p. 99f.

To understand how this 1000-year development of a concept impacts the subject of this thesis, a staunch theoretical, methodological, and structured approach is needed. We find this in conceptual history, or as it was named originally: "*Begriffsgeschichte*."

2.1. Reinhart Koselleck and *Begriffsgeschichte*

Emerging from the desire to form a new historiographical approach based on social history and a careful, systematic, and theoretically sound study of semantics within the sources, conceptual history or *Begriffsgeschichte* was developed during the 1970s in West Germany as an answer to similar theories present in both the anglophone and francophone world. Hitting the mainstream of historiography with their instant classic reference work, *Geschichtliche Grundbegriffe*, *GG*,[4] or *The Practice of Conceptual History*, the theory made its most prominent creator, University of Bielefeld Professor Reinhart Koselleck, well known.

He identified a lack of theory-based approaches within history and saw other social sciences overtaking it as they based their *modus operandi* on empirical science. Koselleck recognised the need for the integration of sound scientific principles and interdisciplinary work for history, stating that "we must recognize our need for theory or, rather, face the necessity of doing theory if history still wants to conceive of itself as an academic discipline."[5]

Koselleck, born in 1923 in Görlitz, Germany, reached fighting age amid the calamities of the Second World War, and subsequently volunteered to join the *Wehrmacht* following his *Hitlerjugend* membership. After being a prisoner of war in the Soviet Union, he handed in his doctoral thesis, *Critique and Crisis,* at the University of Heidelberg in 1954,[6] in which the heavy influence of Nazi theory, especially the writings of Carl Schmitt, where still noticeable.[7] This, however, remains characteristic only of his early writings, as he devoted much of his subsequent work to the studies of war memorials, and actively partook in the discussion on the central memorial for the killed Jews of Europe in Berlin and argued that Germany holds a "special responsibility" in the remembrance of the Holocaust and its study.[8]

His biggest contribution to the discipline of historical studies remains the creation of *Begriffsgeschichte.* While there had been many attempts to create an approach to history that involved a methodological approach towards the understanding of how history is told and transmitted, Koselleck and colleagues like Werner Conze and Otto Brunner found approaches like the history of ideas, historical linguistics, and historical semantics lacking. Finding a fruitful interdisciplinary

[4] Brunner, Conze, & Koselleck 1972b.
[5] Koselleck 2002, p. 1.
[6] Koselleck 2015.
[7] Olsen 2011, p. 1.
[8] Olsen & Koselleck 2014, p. 310.

environment in Bielefeld, he worked together with many colleagues from other social sciences and humanities, who lent him important tools and ideas to formulate conceptual history.

While many wrote and write on the subject or in the tradition of conceptual history, Reinhart Koselleck's theory and seminal works like *GG* remain at the centre of the approach. This thesis will strive to use many different authors and thinkers. However, the theory as laid out by Koselleck is still fitting to approach the subject at hand and forms the core of conceptual history. Therefore, while still using and valuing the work of his successors and followers, Koselleck's writings form the basis of this thesis.

2.1.1. Koselleck's writings

Adapting an approach based on the analysis of concepts, represented by single words such as "progress" or "*Bildung*", Koselleck seeks to overcome the limitations of historicism, which he describes as being too vague and unscientific. Too many of the terms used in the analysis and their interpretation in such studies lack any consideration of their semantic context and correct periodisation. Instead, conceptual history seeks to tackle the pragmatic and linguistic implications, considering any connotations associated with the terms in each specific context, while basing this interpretation on extensive analysis of the historical application of terms and their context. It is more than just listing all meanings associated with the terms; it is the theoretical analysis and the systematic decoding of one usage *in situ*.

This mandates both a diachronic and synchronic approach. Diachronic, from the ancient Greek prefix *dia-,* through, and *khronos*, time, literally through-time, is in *Begriffsgeschichte* the analysis of a term over time through varying contexts. A term may have originated in the late Roman world, having a very narrow definition and field of application. Through the spread of the term across later societies, the term was progressively used in slightly different applications and integrated into other dialects and languages, as is the case with sovereignty. By the end of medieval times, the term ended up being used in completely different ways within many different languages. The emergence of the printing press narrowed it down again through the standardisation effect of mass replication of text. International diplomacy and interlinked academia led to further standardisation, but ideological considerations and epistemological tradition still leave room for a variety of interpretations and connotations associated with the term. This background, the many, diverse histories of the term and its development, is the subject of the diachronic approach, going through time to analyse the term.[9]

However, the multitude of strands of development do not proceed at the same pace. In one context, such as a sparsely populated region in the north of the British Isles, the Roman definition

[9] Koselleck 2002, p. 29.

may be the only definition available. In another context, such as a prospering port town and commercial and cultural centre like Bruges, the term, however, may develop rapidly and take on new implicit and explicit meanings in the linguistically and culturally diverse arena of usage. To untangle these complexities, *Begriffsgeschichte* supplements the diachronic approach with a synchronic approach. Synchronic, from ancient Greek *sun-*, together, and *khronos*, time, is translated literally as together-time. Working synchronically, it is important to acknowledge that the usage of the term can be ambiguous and differs from context to context. To be able to use a synchronic approach, a strict definition of the time frame and scope of the analysis is important to reduce diachronic complexities. Not the development, but the usage of the concept in the specific contexts, including all their contradicting applications, is of interest.[10]

Labelling the approaches as longitudinal and cross-sectional studies respectively would not be correct, as synchronic considerations mandate a deep understanding of the diachronic development of the term in each context, and a diachronic approach must take into account the synchronic presence of other contexts when examining the development strand of one. For conceptual history, Koselleck remarks that: "The method of conceptual history thus intertwines diachrony and synchrony."[11] The goal of *Begriffsgeschichte* is to overcome the chronological listing of definitions and usage cases of the term, and instead show how the concepts associated with the term impacted societies and persisted over time in asynchronous and ambiguous ways, thus providing a higher level of understanding than a mere historical-philological analysis.[12]

This mandates a nuanced look at time. As time in its physical sense moves linearly and at a steady pace, all societies, cultures, and civilisations have had and will have the same amount of time for developing. However, as Koselleck remarks, the specific experience of social change can decelerate and accelerate, detached from the physical movements of natural time. In considering the experiences of historical actors and their depiction in historical accounts, a multi-levelled temporality emerges, labelled historical time by the author. Eric Hobsbawm's "long 19th century" and "short 20th century" are great examples.[13] This experience also shapes the social reality, becoming apparent in the analysis of concept usage.[14]

For Koselleck, social reality, especially in times of crisis, is the most formative dynamic when it comes to concepts, as especially troubled groups reconsider their beliefs and their *modus operandi*. This inevitably leads to a near-infinite number of experiences, each creating a possible case for analysis of concept usage, evident in the multitude of interpretations of sovereignty. Koselleck is very clear about that, as no one can write a total account of history, no one can even write a total account of the history of one concept. He maintains that conceptual history should be applied

[10] Brunner et al. 1972b, p. XXI.
[11] Koselleck 2011, p. 18.
[12] Brunner et al. 1972b, p. XXf.
[13] Hobsbawm 1994, p. 5f.
[14] Koselleck 2002, p. XII.

precisely to one of these temporal layers of historical time to reduce the complexity. This temporal layer should include some form of change to make the analysis interesting and relevant,[15] as is the case with Cold War sovereignty.

Tightly intertwined with *Begriffsgeschichte* is the term *Sattelzeit*, literally saddle-time, describing a time between the 18th and 19th centuries where Koselleck in *GG* claims that western European societies experienced a period where terms became understandable in the now without needing to be translated with knowledge from the past. For example, the term "republic" became so commonly used that understanding *res publica* in the classical sense was no longer necessary.[16] While Koselleck later dismisses this notion as antiquated in its orthodox form, conceding that "I invented the term and used it for the first time in commercial advertisements", he still maintains that from the 18th century onwards European languages solidified and the usage of terms became similar to present use, with all its synchronic differences.[17] This thesis examines a period following these developments, during which the terms analysed had become sufficiently stable and mutually intelligible for synchronic analysis.

Through this consolidation, concepts are not only used to describe past and present social dynamics and political constructs, but also give room for expectations to arise. Sticking with the example of "republic", the term is not only used to describe a political system without a monarch but also becomes associated with democracy, freedom of speech, and civil rights. Movements such as republicanism arise, demanding the fulfilment of all demands associated with the term. These dynamics are easily recognisable in big movements ending with the suffix "-ism", such as socialism, capitalism, and anarchism. Here, terms do not just describe the past and present, but foster expectations of the future, having a significant impact as they begin to describe an ideal state, not only the *status quo*.[18] Koselleck summarises this in writing: "Conceptual History is more than a systemisation or addition of historical source evidence. It is rather an interpretative approach towards the experiences inherent in the terms, and decodes, if possible, the theoretical expectations inherent in them."[19]

However, as the usage cases begin to diversify, and the terms are being used in ever more languages, linguistic traditions and differences in pragmatics complicate the understanding of ideological implications within concepts. While linguistic considerations such as etymology are an important aspect of conceptual history, the relationship between lexeme and content is of key interest, not its linguistic characteristics. Therefore, using conceptual history to analyse one concept

[15] Koselleck 2014, p. 334.
[16] Brunner et al. 1972b, p. XV.
[17] Koselleck, Sebastián, & Fuentes 2006, p. 120.
[18] Koselleck 2011, p. 9f.
[19] German: "Die Begriffsgeschichte führt über eine Systematisierung oder Addition historischer Quellenbelege hinaus. Sie führt vielmehr interpretierend heran an die in den Begriffen sich niederschlagende Erfahrung, und sie schlüsselt, soweit möglich, die in den Begriffen enthaltenen theoretischen Ansprüche auf.", Brunner et al. 1972b, p. XIX.

renders the analysis of a term non-semasiological, since only the meanings relevant to the analysis of the concept are of interest. This target-orientated approach also pushes onomasiological considerations aside, since only the relevant synonyms and variations are included in the analysis of the concept, rather than a study of their linguistic development and pragmatics.[20] The relationship between thing, word, and concept is also complicated. Words and terms, in Ferdinand de Saussure's terminology "the signifiers", are used to represent material and immaterial objects, "the signified",[21] and can all be listed and defined. Thus, the definition of "republic" in the Cambridge Dictionary is: "a country without a king or queen, usually governed by elected representatives of the people and a president."[22] For Koselleck, however, the concept associated and inherent when using the lexeme "republic" is not definable. The entirety of its diachronic development and synchronic ambiguity is present when using such a word. Thus, it is not limited to one defined meaning but rather contains and implies all experiences and expectations inherent. Consequently, any concept, whether it be "republic" or "sovereignty", cannot be explained through dictionary definitions of its central term. Koselleck argues that: "Meanings of a word can be exactly specified by definitions, concepts can only be interpreted."[23]

In summary, conceptual history deals with more than decoding words and their meaning. Koselleck created a theory that accounts for the multitude of implications words can assume throughout their use in time and different contexts. Instead of limiting itself to monolithic definitions and singular development strands, conceptual history allows for ambiguity and room for interpretation, without sacrificing a sound historical examination considering both diachronic and synchronic aspects, including but not limiting itself to linguistic considerations or historical peculiarities.

Offering an approach so wide and yet so focused on one concept, conceptual history is the fitting approach to tackle the issue of sovereignty in the Cold War. However, Koselleck and other authors have stressed the importance of not being overzealous and dogmatic when using conceptual history, leaving room for further development.[24] Thus, conceptual history remains a discipline broadly discussed and evolving.

2.1.2. Contemporary reception

As *Begriffsgeschichte* began to gain acceptance in the 1970s and 1980s, it quickly established itself as an interdisciplinary theory. Spanning from philosophy to history, conceptual history even began to

[20] Koselleck 2011, p. 18f.
[21] „*signifié*"; „*signifiant*", de Saussure, Baskin, Meisel, & Saussy 2011, p. 67.
[22] Cambridge Dictionary 2024a.
[23] German: "Wortbedeutungen können durch Definitionen exakt bestimmt werden, Begriffe können nur interpretiert werden.", Brunner et al. 1972b, p. XXIII.
[24] Koselleck 2002, p. 15.

leave the realm of the humanities and entered natural sciences, as their scientific language is also influenced by concepts with a rich history and body of meanings. This forces users of conceptual history to consider factors lying hitherto outside of its scope, such as iconography, digital data analysis, and communication science.[25]

This wide reception makes conceptual history a part of contemporary scientific discourse, and concepts as such became influential, prompting the German philosopher Theodor W. Adorno to refer to them as "Monuments of Problems", highlighting their central role in portraying academic debates.[26] Discourse theory, in connection with historical semantics, was identified as one major aspect lacking from Koselleck's original theory, and in the vein of authors such as Michel Foucault, this field has received more attention and has been integrated into conceptual history. Foucault himself stresses the "catalytic" function of concepts in creating new epistemologies, describing them as what enables scholars to formulate and codify their findings.[27] Intriguingly, the active use of a term in science, often representative of an entire concept, renders it static. As it loses its discursive function, the semantic fields connected to the concept, rather than the central term, become relevant for conceptual historians.[28]

The discovery of the usefulness of discourse analysis for history has led to a schism between historians using conceptual history. Linguist Dietrich Busse describes how traditionalists insist on analysing concepts through the sources, their content and their linguistic characteristics, while reformers, willing to incorporate discourse analysis, take conceptual history and broaden it by analysing the epistemology and discourse connected to the usage of a concept *in situ*, something necessary to understand the breadth of a concept such as sovereignty. A similar situation among linguists makes conducting interdisciplinary work in this field difficult.[29] However, the success of Foucault's writings and discourse analysis in neighbouring disciplines has opened it up to conceptual history. However, discourse analysis will not have any significant impact on this thesis, as the selected sources are too limited and diverse to provide enough data for discourse analysis. For epistemology and the study of social structures of knowledge, it is important to see conceptual history as more than the study of mere historical semantic definitions. Scholars influenced by Foucault and Thomas Luckmann have instead focused on how social knowledge is structured semantically in concepts, with their analysis employing conceptual history. The theoretical analysis of these semantic units inside the concepts itself are contributing to the study of epistemology, Busse claims.[30]

[25] Ernst Müller 2005, p. 13.
[26] German: "Denkmäler von Problemen", Adorno 1974, p. 13.
[27] Foucault 2007, p. 19f.
[28] Ernst Müller 2005, p. 16.
[29] Busse 2005, p. 43f.
[30] Busse 2005, p. 56.

In contemporary developments, digital research aids and huge datasets have opened the analysis of concepts towards social history. Not only the overt sources, called "classics" by Koselleck,[31] but also the tiniest entries in a database are now usable through rapid corpus analysis tools, helping to reconstruct the discourse surrounding a concept. While this mandates an even more careful selection of sources and time frame for an application of *Begriffsgeschichte*, it allows each researcher to use any text available in a corpus as a "classic."[32] This thesis, for example, benefits greatly from documents being one link away from usage, since many relevant texts for the study of sovereignty are being made publicly and digitally available.

The advent of new theories and methods mandates a constant re-evaluation and revision of conceptual histories,[33] especially since one of the preferred products of conceptual historians has been dictionaries.[34] The German philosopher Norbert Hinske expressed it as such: "The instrument of the concept is not simply to be used, as in each discipline or in political life, it is to be constantly monitored, maintained, and sharpened, a key task of philosophy, in the age of ideology."[35] Concepts, which are actively used in science and form scientific discourse, are thus not only arising from history; they are history.[36]

Having been described as an inherently modernist project from the onset, conceptual history has received its fair share of criticism from scholars influenced by postmodernist thought. To find the truth, meaning an interpretation of a concept that is as close to the actual application in time, is impossible. Theories on discourse and historical semantics, but also conceptual histories themselves, show that ambiguity in concepts cannot be lifted in its entirety, as the speech act or writing and the actual usage and connotations of the concept differ too much. But conceptual history allows for this complexity and has shown itself to be adaptable to fit many studies, as it is not only searching for an absolute definition but also provides a history of misinterpretations. The search for the truth in the modernist sense is being progressively replaced by the attempt to decode how knowledge is expressed and how it became recognised within a concept.[37] This fits the study of sovereignty, a term so diverse and old that it has assumed hundreds of possible interpretations.

In summary, conceptual history is an old theory that has proven to be highly adaptable to changes in scientific culture, with its users adopting new approaches and methods, significantly expanding its scope. Koselleck was confronted multiple times during his lifetime with criticism and

[31] Brunner et al. 1972b, p. XXIV.
[32] Ernst Müller 2005, p. 18.
[33] Konersmann 2005, p. 21f.
[34] Gumbrecht 2006, p. 8.
[35] German: "Das Instrument des Begriffs nicht einfach nur zu gebrauchen, wie es in den Einzelwissenschaften oder im politischen Leben die Regel ist, sondern es ständig zu überprüfen, instandzuhalten [sic!] und zu schärfen, zählt heute, im Zeitalter der Ideologien, vielleicht mehr denn je zu den elementaren Aufgaben der Philosophie", Hinske 1986, p. 188f.
[36] Konersmann 2005, p. 25.
[37] Konersmann 2005, p. 31.

innovation that seemed to render his theory obsolete.[38] But through its unique approach to allow for ambiguity and interdisciplinary integration, coupled with a solid theoretical framework, *Begriffsgeschichte* has remained relevant. Although it shares many characteristics with other strands of historiography and disciplines, conceptual history remains a distinct theory, adapting new methods without losing its defining characteristics.[39]

2.1.3. History of ideas, historical linguistics, historical semantics

While conceptual history shares aspects with other approaches within the discipline of history and associated interdisciplinary fields, such as the history of ideas, linguistic history, and historical semantics, its unique focus on the diachronic and synchronic shifts sets it apart.

The focus on the development of thought and knowledge can make it difficult to keep *Begriffsgeschichte* apart from the history of ideas, which shares this key interest. However, conceptual history places much more emphasis on the contextualization of the concepts.[40] While the history of ideas typically focuses on the intellectual influences and the tradition of knowledge from thinkers and academics through time, concentrating on highly institutionalised knowledge and sources, conceptual history prioritises the analysis of concepts in their specific context over the broader intellectual traditions in which they are situated.[41] Furthermore, conceptual history is far better suited to allow for synchronic ambiguity, while the history of ideas focuses on the narrative of linearly evolving ideas, present in all contexts at the same time.

Historical linguistics focuses more on the structure of a language at any given time, having phonemes, syntax, vocabulary and other linguistic characteristics in interest. It analyses the development of language, how it is spoken, and how it influences other languages. *Begriffsgeschichte*, conversely, focuses more on the semantic and contextual implications of language use, and not on a structural analysis. While it is important to have a firm grasp on the etymology of key terms and a good understanding of a term itself, a concept analysis focuses not merely on the word but on the broader implications of its conceptual evolution, including post-structuralist and epistemological considerations.

As conceptual history delves into the ambiguity of a concept, the classic relationship between the signified and the signifier, as described by the Swiss linguist Ferdinand de Saussure, begins to dissolve more and more. The structuralist attempts to decode language as a mere system of syntax and vocabulary are not suited to understand how diachronically evolved concepts can assume contradictory meanings and implications when used synchronously. Pragmatics, discourse analysis,

[38] Koselleck et al. 2006, p. 100f.
[39] Gumbrecht 2006, p. 18f.
[40] Richter 1990, p. 41.
[41] Busse 2003, p. 20.

and epistemology have tried to fill these gaps, and conceptual history integrates aspects of these theories to better understand how concepts have been shaped and actively influence how language is used to convey history.[42] Key figures in these parallel developments are Foucault and Quentin Skinner, with the latter having a significant impact on Koselleck himself.[43] However, conceptual history remains firmly seated in its synthesis of diachronic and synchronic language use, relying on the analysis of language *in situ* in front of a background of language development, [44] not delving into any of the intricacies of the theories mentioned above.[45]

Studying how the meanings of words change over time, historical semantics is closely related to both linguistic history and conceptual history. Narrowing its analysis down to how specific terms have evolved, it does not capture the broader cultural and social factors that influence conceptual change, considering linguistic nuances and shifts in definitions, thus excluding the larger contextual forces at play.[46] In contrast, conceptual history explicitly looks at concepts within their historical contexts, taking into account the socio-political and cultural dynamics that contribute to their evolution, thus taking a hermeneutical approach. While a term can be defined, and its evolution can even be traced back to its origins, conceptual history considers a wider array of meanings and connotations associated with a semantic unit and analyses it within its proper context, allowing it to be correctly applied and interpreted in its specific use case.[47]

All approaches mentioned above have been used to study sovereignty. Their results vary and are often reductive and monolithic, leaving little explanation for why the term remains so vague and its usage differs in each context. Conceptual history allows for this ambiguity and does not force users to give an ultimate, singular definition. Therefore, while the history of ideas, historical linguistics, and historical semantics may have provided interesting insights and new ideas, they do not suffice for the project at hand, while conceptual history does.

It is important to remember that conceptual history is a highly adaptable, innovative, and interdisciplinary theory. While *Begriffsgeschichte* differs from other theories, they still exert significant influence on it. However, they remain restricted. The history of ideas relies heavily on textual analysis of philosophical works and intellectual treatises, linguistic history employs structuralist methods to study language evolution, and historical semantics focuses on etymological studies and the meanings of specific words within particular historical contexts. Conceptual history's emphasis on context and meaning sets it apart, without neglecting the usefulness of other theories, thus surpassing their limitations.

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[42] Tully 1989, p. 56f.
[43] Koselleck et al. 2006, p. 101f.
[44] Koselleck, Tribe, & Koselleck 2004, p. 84f.
[45] Busse 2003, p. 22.
[46] Campbell 2013, p. 2–5.
[47] Brunner et al. 1972b, p. XXIII.

2.2. The term

This wide spectrum of theoretical and methodological tools is useful in tackling a concept as diverse as the one which is associated with the term sovereignty. The term itself has several short definitions, the Cambridge Dictionary defines it as "the power of a country to control its own government."[48] However, the term has assumed many different meanings as well as connotations and must thus be treated as a concept. Ambiguity and contradictory interpretations of sovereignty are commonplace, such as in many modern conflicts where both the offensive and the defensive participants claim to fight for sovereignty. Often, all conflicting parties simultaneously label their efforts a defence of their sovereignty, thus mutually excluding any possibility of reaching sovereignty without total victory or defeat. The fact that diametrically opposed parties in a conflict attempt to legitimise their actions in the same way as their foe suggests that the meaning of the term sovereignty varies depending on the user and context.

It is important to remember that semasiological and onomasiological aspects will not be considered. Sovereignty in many languages, like Swedish and German, can be understood as the ability to overcome attacks and obstacles, like lauding an orator as sovereign if they hold a flawless speech. Another example is the early modern British gold coin called sovereign. This thesis will limit itself to the political and legal aspects of sovereignty, following the theory of Koselleck.[49]

In modern times, or what Koselleck would refer to as the times after the *Sattelzeit*, sovereignty has therefore been tightly bound to the concept of a state. As virtually all nations and territories after the 19th century were organised and structured into systems with at least a modicum of central administration, even more so after the dissolution of colonial empires, states and their governments have been the primary holders of sovereignty. Even though in many countries the head of state is still a sovereign in the monarchical sense, as in several Nordic countries, the legislative power and the agency to act diplomatically lie with democratically elected governments, as per the constitution. While many autocracies still exist, most designate themselves as a republic, meaning a state ruled by a government formed by the people. Fitting examples for this case are the Democratic People's Republic of Korea, or, more debatably, the Russian Federation. This tight connection between state and sovereignty has been challenged, with the article in *GG* on the concept of the state arguing that:

> Structurally, similar problems emerge after World War II. International organizations and, even more so, transnational communities lead to a delegation of sovereignty rights — *de facto* to the superpowers, and legally to new supranational institutions — without the states ceasing to exist as states. 'State' and 'sovereignty' are no longer fully relatable to each other. Ultimate decision-making power internally and independent capacity for action externally— the old criteria of sovereignty— no longer align with the factually and legally restricted scope of action of states. […] In terms of

[48] Cambridge Dictionary 2024b.
[49] Koselleck 2011, p. 18f.

> the history of concepts, we are thus approaching, under entirely new conditions, situations that become comparable to pre-state times.[50]

This emphasises the need to study the concept of sovereignty as such and indicates yet again that sovereignty as a concept is constantly evolving and assumes ambiguous meanings in different contexts.

However, a brief overview of the etymological development of the lexeme is useful to understand its linguistic foundations. Having roots in Roman Latin, sovereignty evolved from the Latin word *super*, high or above in English. In late antiquity, as the Roman Empire began to lose its cultural and political cohesiveness, the Latin language became a language that was not only used inside the dissolving empire but also at its fringes, which gained evermore autonomy. In Gaul, the local authorities did not discard Latin as a *lingua franca*; instead adapting it to their native languages, creating pidgin languages with considerable deviations from classical Latin. The lexeme *super* developed into *superus* and subsequently *superanus*, having a more literal meaning of describing the highest point, either in a society, such as a monarch, or in geography, such as the highest summit of a mountain range. As Latin became absorbed into the language spoken in one of the important successors of the Roman Empire, the Empire of the Franks, *superanus* developed into *souverain*, a French lexeme first recorded in the Middle Ages.[51] This is the term that, through the usage in one defining text on state affairs, would become the basis for the concept of sovereignty.

2.2.1. Historical development

Over the centuries, the concept of sovereignty has undergone several changes in meaning. Depending on the historical context or user, the term has been interpreted differently or sometimes even entirely abandoned. This chapter gives an overview of the history of the concept associated with the term sovereignty. The earliest significant use of sovereignty in its modern sense, and the one most frequently cited by historians and political scientists, appears in Jean Bodin's 1576 work *Les Six livres de la République*.[52] It describes a sovereign as the institution within a group that holds absolute decision-making authority.[53] According to Bodin, this authority is directed inwardly, meaning the sovereign can autonomously and without any influence from other actors affect every facet of political, administrative, and social life under their command. Thus, they act as the highest judge and reserve the right to veto any political decision. Moreover, they are the highest commander in military and police matters.[54] Externally, the sovereign represents the governed

[50] Brunner et al. 1972a, p. 3f.
[51] Brunner et al. 1972a, p. 99f.
[52] Bodin 1606.
[53] Raap 1992, p. 6f.
[54] Krasner 2017, p. 523.

territory by name, is responsible for its territorial integrity, and protects it against external threats. Furthermore, the sovereign is considered equal to all other sovereigns. Therefore, they enjoy both the right and the duty to uphold sovereign rule in their own and foreign territories.[55] It is important to note that Bodin's understanding of sovereignty is influenced by his upbringing in 16th century Bourbonic France, and he himself was dependent on the favour of the powerful in this system. Absolutism heavily shaped his model, as the concentration of power in a single institution is characteristic of it. In the article on sovereignty in *GG*, the authors call this type of sovereignty with a heavy focus on sovereigns like monarchs "*Fürstensouveränität*", monarchical sovereignty.[56] However, it should be noted that Bodin also imposes limits on the sovereign. Natural law, God, and other sovereigns can impede their exercise of power. While the laws of nature, with their seasons, natural hierarchies, and natural disasters, can present immutable obstacles, and God stands above all earthly matters, intervention by other sovereigns must be based on worldly necessity.[57] According to Bodin, intervention in the power sphere of another sovereign is only permissible if said sovereign neglects their duty to care for their people. He explicitly emphasises that only a sovereign equal to the sovereign concerned can intervene from its position of power to restore dignified conditions. Thus, intervention at the level of sovereigns is never an act of aggression; it serves solely to defend the affected population and maintain existing relations.[58]

About 80 years after Bodin, the English philosopher Thomas Hobbes articulated similar thoughts in his 1651 work *Leviathan*.[59] He based his theory on the thesis of the people's inability to collective self-defence. According to his assumptions, a contract between the sovereign and the people exists, which grants the former absolute power over internal and external matters for the latter's benefit. The sovereign's actions need only be justified before God, as he is infallible during his lifetime. According to Hobbes' contract theory, the sovereign is not in power due to natural conditions; rather, he is the designated representative of the people. The people collectively give their power to the sovereign to protect and lead. The sovereign decides on their behalf and makes generally valid decisions that the people, as a mass of individuals, cannot make.[60] Again, it is important to acknowledge that Hobbes, like Bodin, was influenced heavily by absolutism when writing *Leviathan*. His definition of sovereignty also concentrates it in one institution, the sovereign.[61] Or, to say it in the words of Gaspard de Rèal de Curban: "To share sovereignty is to destroy it."[62] However, European revolutions and the emergence of people's governments mandated a wider interpretation of the concept.

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[55] Glanville 2016, p. 153.
[56] Brunner et al. 1972a, p. 107.
[57] Glanville 2016, p. 155.
[58] Brunner et al. 1972a, p. 112f.
[59] Hobbes 1962.
[60] Glanville 2016, p. 155.
[61] Brunner et al. 1972a, p. 110.
[62] German: "Die Souveränität teilen, heißt, sie vernichten", de Rèal de Curban 1762, p. 937.

However, even before, in monarchical societies such as the United Kingdom, abbreviated UK, or the Holy Roman Empire, sovereignty was not as clear-cut as one monarch having absolute power. In the German territories, local rulers possessed significant autonomy from the *Kaiser*, leading to the question of who exercised sovereignty. Here, sovereignty was mostly interpreted as the power of immediate command, meaning that in each territory the local ruler was sovereign, but in matters of the *Reich,* the Emperor was sovereign.[63] An even more complicated case presents itself in the UK, where, since the signing of the *Magna Carta,* the monarch has been bound to a certain degree of parliamentarism. While influential British scholars like Hobbes reiterated Bodin's absolutist interpretation of sovereignty, others, including members of parliament, dismissed it: "I know that prerogative is part of the law, but 'Sovereign Power' is no parliamentary word!"[64] A compromise was reached by emphasising that sovereignty lay within the legislative body, uniting the monarch and both houses of parliament as the exercisers of sovereign power.[65]

However, outside of these specialised contexts, sovereignty remained closely tied to absolutism. But emerging ideas about the sovereign's obligation to protect the people, coinciding with the neglect of inherent duties associated with the right to rule as formulated by Bodin, began to shift this perception, particularly in response to the social crisis of Bourbon France in the late 18th century.[66] Jean-Jacques Rousseau and John Locke revisited this idea during the Enlightenment, now emphasising the people as the basis of sovereignty. According to them, the people form not only the foundation for the sovereign's power but are also the controlling instance. In the case of a despotically ruling sovereign who neglects the needs of his people, they have the right and even the duty to rid themselves of their tyrant and appoint a new, better-suited representative.[67] Locke even allocates the "supreme power", sovereignty, to the people: "the legislative being only a fiduciary power to act for certain ends, there remains in the people a supreme power to remove or alter the legislative, when they find the legislative act contrary to the trust reposed in them."[68] Rousseau takes this a step further, seeing the people not only as a controlling authority but as an active participant in the political process. In his *Contrat Social* he formulates the notion of a *volonté general*, or common will, that needs the people to be included in the political process, as: "sovereignty cannot be represented, for the same reason that it cannot be alienated; it essentially consists in the general will, and the will cannot be represented."[69] According to Rousseau, the representative or monarch is thus no longer needed to have a sovereign society. As per the concept of "popular sovereignty", the population could also determine the form of governance over

[63] Brunner et al. 1972a, p. 117f.
[64] Hansart 1807, p. 357.
[65] Brunner et al. 1972a, p. 121.
[66] Brunner et al. 1972a, p. 123f.
[67] Glanville 2016, p. 156.
[68] Locke 1689, p. 426f.
[69] French: "La souveraineté ne peut être représentée, par la même raison qu'elle ne peut être aliénée; elle consiste essentiellement dans la volonté générale, & la volonté ne se représente point", Rousseau 1780, p. 300.

themselves through violent methods, such as revolution. John Stuart Mill even claimed that external intervention, as described by Jean Bodin, is counterproductive. A people that cannot liberate themselves are not yet ready for their sovereignty.[70]

The people as the holders of sovereign power is a central theme in the emerging democracies of the 18th century, most evident in the *Declaration of Independence* of the United States of America, abbreviated USA, which begins with: "We, the people […]."[71] The specific *locus* of sovereignty in a society has thus shifted from one aloft entity to the people, represented by a government by the people in a structured state. This is without question a restriction of the original interpretation of Rousseau, since there is representation, and the state protects itself from insurrection with laws protecting itself and its constitution, analogous to the concept of *Wehrhafte Demokratie*, or defensive democracy, established in the Federal Republic of Germany after the experiences of the shortcomings of the Weimar Republic.[72] In other territories, as monarchical societies remained stable into the 20th century, the emergence of civil rights movements, parliamentarism, and socialism mandated a constant negotiation of sovereignty, leading to a constant adaptation of hybrid laws, constitutional monarchies, and limited suffrage. A failure to adapt to these pressures led to developments akin to those in Tsarist Russia, resulting in a complete change of government and the loss of external territories, such as the Grand Duchy of Finland. According to the article in *GG*, this development led to a reorientation of sovereignty from a monarchical model to a constitutional one, in which sovereignty resided not in the sovereign, whether monarch or people, but in the law as codified in the constitution.[73] This also implies that in the 19th and 20th centuries, the concept of sovereignty was no longer associated with the absolute competence to rule, but with the highest. As such, while every member of a democratic society is part of the decision-making process, the government, parliament, or judiciary are the highest part of this process, thus holding sovereignty.[74] In Germany, the problem of localising a supreme authority in the constitutional state, with its myriads of local rulers and *de jure* autonomous states, was solved with the concept of state sovereignty. Relying on the cooperative interpretation of the state, highlighting the integration of virtually all its members and institutions, the state itself was identified as the holder of sovereignty. Even today, the concept of sovereignty is most closely associated with states ruling in the domestic sphere and interacting amongst themselves on the international level.[75]

These aspects each concern themselves with matters of domestic politics and the legitimacy of rule over territory and subjects, which are grouped under the term internal sovereignty.[76] Internal

[70] Mill 2006, p. 262.
[71] Rakove & United States 2009, p. 76f.
[72] Brunner et al. 1972a, p. 126f.
[73] Brunner et al. 1972a, p. 128.
[74] Boldt 1975, p. 32.
[75] Brunner et al. 1972a, p. 2f.
[76] Brunner et al. 1972a, p. 142.

sovereignty can be summarised as the sole competency to pass domestic laws, absolute control over territory, and the legitimate representation of the subjects.

External sovereignty, conversely, was first substantially referred to after the Thirty Years' War within the Peace of Westphalia agreements. After the immense loss of life and economic power during the war, representatives of all major European powers met in 1648 to establish a common ground for international relations. One result was that any territory that could represent itself externally in any form and rule autonomously in the domestic sphere must be treated as an equal actor by other sovereigns.[77] The Swiss philosopher Emerich de Vattel described these processes in his 1758 work *Le Droit des gens*.[78] This form of sovereignty is generally referred to as Westphalian sovereignty or Vattelian sovereignty. According to this understanding, sovereignty does not exclusively reside with an individual but can also be held by a republic or a council, thus including virtually all forms of political structures within a state. The principle of non-intervention was also established here, whereby the *ius ad bellum*, or the right to wage war, must now be preceded by a *casus belli*, a valid reason for war.[79] Examples of interventions labelled as legitimate were the invasions of monarchical states into revolutionary France at the end of the 18th century. While democracies such as the Swiss Confederation were tolerated, a revolution to remove a fellow absolute ruler was interpreted as a violation of law, thus allowing for an intervention. As tolerance for civil movements and democracy spread throughout Europe, such interventions remained rare, even if alliances were made between monarchical countries. These formulated an obligation to intervene in the case of a revolution, a clear attempt to defend monarchical sovereignty. Any offensive action without a legitimate *casus belli* remained scorned, and countries that underwent a successful revolution and established a working government were soon treated as sovereign states and enjoyed the corresponding privileges.

This principle persisted well into the 20th century, at least in theory. The *Charter of the United Nations*, abbreviated UN, also stipulates that the territorial and political integrity of a sovereign nation-state is inviolable. Violations of this principle are therefore considered a breach of international law. Furthermore, Article 51 also affirms "the inherent right of individual or collective self-defence", even by force. Thus, the *ius ad bellum* exists only in the case of aggression from outside for the purpose of defence, with interventions to assist an ally also constituting a legitimate *casus bello*.[80]

Visible within the historical development of the concept of sovereignty is the change from historical experience to expectation. Ever since Rousseau and Vattel, sovereignty is no longer used to describe the *status quo* of a ruler's competencies; it inherently calls for an ideal state of society

[77] Raap 1992, p. 11.
[78] Vattel 1916.
[79] Krasner 2017, p. 253.
[80] *United Nations Charter, Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression* 1945.

and international coexistence. Whether referring to the principle of sovereign states refraining from conflict without legitimate cause or to the democratic rule of the people, later reinforced by demands for universal suffrage, the invocation of sovereignty implies a normative standard that calls for change in systems failing to meet it. Sovereignty is a precondition for the ability to interact with other sovereign states, with others expecting its hallmarks. Thus, in the sense of Koselleck, sovereignty is not only a description of the past and present but also an expectation.[81]

2.2.2. Contemporary use

With the surge of serious crimes against humanity in the second half of the 20th century, such as the genocide in Rwanda or the crimes of the Khmer Rouge in Cambodia, and influenced by the horrors of the Nazi atrocities, demands arose to change this principle.[82] In response to these demands, UN Secretary-General Boutros Ghali, his successor Kofi Annan, and the UN Human Rights Commissioner Francis M. Deng developed the so-called R2P, Responsibility to Protect. According to this principle, the human rights of the individual take precedence over the rights of sovereign nation-states to territorial and political integrity. Like Vattel and his successors, the UN establishes that in cases of widespread human rights violations by a sovereign nation-state, the international community can and must intervene.[83]

Modern political scientists and historians often attempt to create syntheses of the concepts mentioned above or draw individual elements from them to form their own working definitions. Political scientist Luke Glanville defines sovereignty as a justified claim to political authority. According to this definition, sovereignty is held by the highest authority in a group or organisation, such as the monarch in a monarchy or the people through their government in a democracy and is independent in its decisions from external influences in both domestic and foreign affairs.[84]

David Calleo emphasises the independent ability of a national political system to act. Only a group that can shape its social system, environment, and political representation according to the prevailing consensus within it is sovereign. Thus, he understands sovereignty not as a right but as a fact, arising from the actual constitution of the system analysed.[85]

Legal scholar Christian Raap defines the sovereignty of a state based on three elements. Firstly, a state must be able to interact on equal terms with other states on the international level. Secondly, a state must be able to represent itself externally without any intervention from external actors and act completely autonomously. Finally, a state must be able to enact laws in the domestic and possess

[81] Koselleck 2011, p. 9f.
[82] Glanville 2016, p. 157.
[83] Glanville 2016, p. 159.
[84] Glanville 2016, p. 158.
[85] Calleo 1976, p. 19.

absolute jurisdiction over its territory. According to Raap, a state is only fully sovereign when all these requirements are met.[86]

Stephen Krasner extends the idea of sovereignty to the international level. While a state can be sovereign through autonomous legislation and jurisdiction regarding domestic matters and can interact freely with other actors externally, gradations are possible. If a state voluntarily joins international organisations and ratifies their regulations, implementing these in the domestic sphere, this does not diminish its sovereignty. However, if these rules are imposed on the state without its participation in negotiations, this restricts its sovereignty. Furthermore, governments can still claim sovereignty over their territory without *de facto* exercising power, even if they govern in exile due to war or revolution. According to Krasner, there are configurations of sovereignty that, according to Calleo, would not be labelled as such, highlighting the concept's ambiguity.[87] Thus, his definition is based on the theoretical legal situation of a state and does not rest on the actual circumstances in the respective system.

Raap, Krasner, and other scholars emphasise that voluntary membership in international organisations and alliances bound by a contractually agreed framework does not diminish the sovereignty of a nation-state. James Rosenau, conversely, describes a so-called penetrated system: "A penetrated political system is one in which nonmembers [sic!] of a national society participate directly and authoritatively, through actions taken jointly with the society's members, in either the allocation of its values or the mobilization of support on behalf of its goals."[88] Here, external actors exert direct influence on national events and can thus undermine the sovereignty of domestic authorities. Diplomatic relationships between the two systems are no longer conducted between the two sovereign representatives of the groups, with one sovereign actor bypassing the other and directly influencing the group it represents, thus impacting the latter's sovereignty negatively. This is most evident in bloc politics during the Cold War. Here the *GG* authors identify a crisis of sovereignty and its connection to the concept of states, writing that "the intensification of international relations in the 20th century […] strengthens the view of the binding nature of state sovereignty to international law and ultimately leads to the question of to what extent one can still speak of 'sovereignty' at all."[89] Notions of a "world sovereignty" arise, closely tied to supranational organisations and controlling agencies.

Wolfram Hanrieder notes that susceptibility to external geopolitical events and decisions also influences the decisions of a *pro forma* sovereign entity. When close partners are present or dependencies towards external actors exist, crises or political ruptures in these can influence the relationships and political decisions in one's own system. This penetration of the innermost spaces

[86] Raap 1992, p. 11.
[87] Krasner 2017, p. 253.
[88] Rosenau 1980, p. 127.
[89] Brunner et al. 1972a, p. 151.

of a sovereign state can influence the political authority of the sovereign entity.[90] This interpretation is particularly fitting for nations that transitioned from former enemies to junior allies of the superpowers during the Cold War.

The concept of sovereignty in its political sense itself has often been the target of criticism. Political scientist Ernst-Otto Czempiel even considers the concept of sovereignty to be entirely obsolete. The replacement of authoritarian states by democratic constitutional states shifts the requirement from total internal and external freedom of action to decisions made within the framework of collectively agreed-upon rules. In particular, international involvement in military and social policy issues leads, according to Czempiel, to a loss of sovereignty at the national level and renders it meaningless.[91]

Glanville notes that sovereignty cannot be narrowly defined. Rather, the meaning of the term is diversely interpreted by each actor. Echoing the basic tenets of conceptual history, he claims that, depending on the underlying historical, social, cultural, and substantive context, the meaning and connotation of sovereignty can vary.[92]

As shown above, the history of sovereignty can be traced back to the 16th century. Over the past five centuries, its meaning has continually evolved, and modern scholars do not agree on how sovereignty can be defined or whether the use of the term is still relevant in today's context. Additionally, its use in political communication, treaties, and the media is often contradictory and not cohesive, rendering sovereignty an ambiguous concept, yearning for a detailed examination with the tools of conceptual history.

2.2.3. Cold War specifics

The interwoven nature of the definitions presented above shows that the concept of sovereignty has not only evolved historically, but also in practice. The interpretation of this term oscillates between the absolute authority of a sovereign and a clearly delimited scope of action in which they can act. To fully understand the extent of the usage of the concept of sovereignty during the Cold War, a distinction must be made between these two perspectives. On the one hand, the analysis of political authority could show that the states analysed in this thesis could act independently in foreign politics and had control over their own legislation. On the other hand, the relationship between the states and their respective bloc powers could mean that they were obliged to comply with political guidelines imposed by external actors during the timeframe considered.

After the end of the Second World War, the international order of the pre-war period was shattered. Apart from the total dissolution of political structures in east Asia and a dramatic loss of

[90] Hanrieder 1967, p. 230.
[91] Czempiel 1993, p. 145–158.
[92] Glanville 2016, p. 153.

power projection of the two major colonial powers, the British Empire and France,[93] the European continent was littered with territories whose states had completely vanished after the resounding defeat of the Axis powers and their collaborators. It is here that, at the onset of the Cold War, some peculiarities in issues of sovereignty arose.

Most prominently, there is the issue of the absence of a functioning state in some territories directly after the war. In Germany and its former eastern territories, military occupations and their associated administrations were tasked with upholding peace and some semblance of the rule of law. However, none of the victorious Allies claimed these territories, apart from some annexations as the Baltic or Alsace. As this temporary solution of military administration was deemed unsatisfactory, the second half of the 1940s saw numerous new states founded.[94]

However, the massive ideological rift between the Union of Soviet Socialist Republics, abbreviated USSR, and the other members of the former Allies of the Second World War, the UK, the US, and France, had a significant effect on these emerging states. As the USSR had driven back Axis forces throughout eastern Europe in the late stages of the war, it had established local administrations sympathetic to its ideological cause, protecting them with its overwhelming military power.[95] In many historical nations in eastern Europe new states, built on the principle of socialist people's republics, were formed under Soviet guidance. These new states, often referred to as satellite states, had close political, economic, and military ties with the Soviet Union, being dependent on the latter in all cases. As the political cadres were trained in the USSR, essential goods could only be sourced there, and the equipment and doctrine, as well as the officers, were acquired and trained by the Red Army, virtually all spheres of statehood were dependent on Moscow.[96] This limited the sovereignty of these countries to a significant degree, becoming especially evident in the military interventions of the Red Army in Hungary in 1956 and the actions surrounding the 1968 Prague Spring in the Czechoslovak Socialist Republic, abbreviated ČSSR.[97]

In the west, the Allies claimed to have liberated countries formerly occupied by the fascist Axis powers. France was restored to its pre-war conditions, and Norway, Denmark, and the Benelux states welcomed their exile governments back into their capitals, basing their legitimacy heavily on wartime resistance and military victory.[98] In Greece and Italy, the situation was more complicated. Italy's fascist leaders had been removed, and the interim powers that aided the Allied advance through the country were tasked with forming a new state, the Italian Republic, which claimed to be the direct successor of the Kingdom of Italy.[99] In Greece, political infighting made the restitution of the Kingdom of Greece difficult, and political stability was not reached until the 1970s.

[93] Hobsbawm 1994, p. 14f.
[94] Mazower 2000, p. 213.
[95] Mastny 1998, p. 21f.
[96] Applebaum 2012, p. 33f.
[97] Kramer & Smetana 2013, p. XIV.
[98] Judt 2005, p. 68f.
[99] Mack Smith 1997, p. 417–424.

American economic aid and military protection were vital for the rebuilding of Europe. Formalised in the European Recovery Program, colloquially referred to as the Marshall Plans,[100] American economics and products had a significant impact on the political and cultural life in post-war Europe. However, the western Allies were adamant in enforcing their political vision, intervening in Greece to make sure no communist government would be able to be formed within their sphere of interest. Thus, issues of sovereignty also permeated the bloc politics in the West.

Apart from nationhood, integration into the respective bloc systems was also a key issue of sovereignty. As the Cold War led to ever-increasing political and economic separation between the blocs, especially following the first armed conflict in the Korean War, the ties between the members of each bloc grew tighter. In the east, the establishment of planned economics and the concentration of key technologies and rerouting of resources to the Soviet Union led to satellite states becoming dependent on Soviet goods.[101] A vivid example of this is the Czechoslovak dependence on Soviet petroleum products or the Romanian dependence on Ukrainian grain.

In the West, these dependencies were highest at the beginning of the Cold War. The war had damaged significant parts of the infrastructure and millions perished, with influential parts of society, especially those of Jewish heritage, being virtually destroyed. The economic integrity of the US and its overproduction helped stabilise the war-torn countries of western Europe and afforded them the means necessary to regain economic autonomy and the industrial base to feed their people. To become competitive with the production levels of both superpowers, European nations soon committed to economic cooperation and integration, leading to co-dependencies and shared responsibilities.[102] However, the perceived military threat from the USSR mandated a military alliance, as states like Belgium had no chance of countering a Soviet attack on their own. While a European alliance was preferred, only the nuclear capabilities of the USA were deemed strong enough to oppose the Red Army. Thus, many European countries allowed for the stationing of American troops on their soil to compensate for their military impotence.[103] The dynamics of this economic and military integration are a key issue in Cold War sovereignty.

While the militaries of eastern Europe were seamlessly integrated into Soviet military doctrine, the prominence of the eastern alliance is not as stark as that in the west. The reason for this is found in the presence of Soviet forces in all states that never ceased after the initial occupation, or in Soviet terminology, "liberation", during the later stages of the Second World War.[104] While the militaries of the satellite states were expected to partake in any conflict and thus possessed significant strength, the nuclear capability and heavily equipped Soviet troops in-country posed similar, but different complications concerning sovereignty.

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[100] United States Senate Foreign Relations Committee 1948.
[101] Berend 1996, p. 192.
[102] Judt 2005, p. 429.
[103] Leffler 1992, p. 221–237.
[104] Mastny 1998, p. 58–62.

However, some cases are so special in regard to issues of sovereignty that they cannot just be explained by the short summary above. The biggest outlier is clearly Germany, a nation left virtually unrecognisable after the terrible effects of war on both people and infrastructure. Exacerbating these issues was the uncertain future of German statehood in the immediate post-war years and the conflict between the western Allies and the USSR, leading to the subsequent split of the remaining territorial rump of Germany. This naturally led to two very different developments, as two German states formed, belonging to the Western and Eastern Blocs, respectively. The situation is further complicated by the issue of both states having contradicting demands in claiming sovereignty over the entire German territory, a dilemma that could only be resolved by the dissolution of one state. Thus, the situation in post-war Germany and its two successor states is a perfect example, illustrating the ambiguous use of sovereignty during the Cold War.

Germany represents an extreme case, having served both as the substrate for Nazism and, subsequently, as a model project for the ideological ambitions of the opposing Cold War blocs. A nation far less often named as an interesting case regarding the complicated issues of Cold War sovereignty is Finland. While the Nordic nation was actively involved in the Second World War as a German ally, the impact of its eventual defeat was cushioned by a short period of Finland, under the pressure of the Soviet Union, engaging in hostilities with the Nazis. However, as a former Russian imperial subject and the site of a major Soviet defeat in the 1940 Winter War, Finland was of special interest to Moscow. Being hesitant to invade and re-experience Finnish resilience, but having significant interest in its strategic location, the Soviet Union leveraged their military power to incentivise the signing of several treaties between Helsinki and the Kremlin. Their effects and the subsequent neutrality of the Republic of Finland significantly impacted its autonomy. Thus, a case presents itself where enforced neutrality and subjugation to Soviet demands, later labelled as "Finlandization", significantly impact the sovereignty of a bloc-free and *de jure* autonomous country. Thus, this case will be closely analysed to show how sovereignty was interpreted and communicated during the Cold War, with Finland serving as an example of a nation impacted without being part of either ideological bloc.

The analysis of these three different cases, limited to the evaluation of the concept of sovereignty, mandates a reflection on methodology, navigating between transnational and comparative approaches.

3. Methodological considerations and implementation

While transnational and comparative history may seem closely related, historians have tended to treat them as unreconcilable, best exemplified in the debate between the historians Jürgen Kocka

and Heinz-Gerhard Haupt.[105] Focusing on phenomena and trends that have influenced societies and politics, permeating borders and having significant effects in multiple countries or globally, transnational history tends to be decried as a specialist domain. The transnational analysis of any topic, such as sovereignty in this thesis, mandates extensive knowledge of the topic and the ability to trace and study it in multiple different contexts and languages. The German historian Hartmut Kaelble claims that this notion is shifting in the wake of decolonisation and the attempts to break open the Eurocentricity of historiography, embracing a more varied study and a global perspective.[106] Much of the resistance towards transnational history stems from the fact that it is a recent approach.[107]

Comparative approaches, however, compare different developments and situations of nation-states and have been around for much longer. While they still focus on specific topics, the scope of the study is usually not delimited by the choice of the study object, but rather by the selection of states to be analysed. Its main concern is, as with transnational history, to overcome the limits of an analysis within the confines of just one state. As an example, the topic of military spending in the UK and Germany during the build-up to the First World War is narrowed down by the selection of the states, not the topic of military spending. It focuses on a systematic and extensive comparison between the cases studied, preferably a very low number, often just two.[108]

However, Kaelble notes, this strict separation of the two approaches is not as clear-cut as it seems. While the transnational method seeks to highlight the shared experience of trends and phenomena, it still needs the nation-state as the unit of study to be transnational, thus being limited to the 19th, 20th, and 21st centuries. Also, the dynamics between the states, with domineering states and subjugated states, are not palpable in a purely transnational study, as well as the peculiarities of international relations within alliances and ideological blocs.[109] Thus, the intellectual attempt to transcend borders to give a history of transnational development of phenomena needs a comparative perspective to give insight into its omissions.[110]

Comparative history, conversely, is not complete without the consideration of the broader context either, Kaelble claims. With more intricate topics, such as capitalism or gender aspects of work, studied in a multipolar world, including the integration of states in alliances and supranational unions, a purely comparative approach cannot provide the context necessary to understand these complicated dynamics.[111] As the basis of transnational studies, comparisons are already part of them. Thus, comparative and transnational approaches need to be combined and treated as a

[105] Haupt & Kocka 2009a, p. VII.
[106] Kaelble 2017, p. 15f.
[107] Haupt & Kocka 2009a, p. VII.
[108] Haupt & Kocka 2009b, p. 3.
[109] Haupt & Kocka 2009b, p. 4.
[110] Kaelble 2017, p. 18f.
[111] Kaelble 2003, p. 29–31.

symbiotic entity, being, as Kaelble claims, "[…] both based on the same motivation: writing history that extends beyond the nation State."[112]

For this thesis, this means that the comparative approach taken to analyse the Federal Republic of Germany, the German Democratic Republic, and the Republic of Finland will generate insights that will be used to write a conceptual history of the term sovereignty, itself being inherently transnational as it deals with the development and the application of the term in across borders.

This leaves some important considerations. As in conceptual history, it should be remembered that the same phenomenon or term can assume different meanings and implications in differing contexts.[113] Furthermore, in trying to outline developments, teleology should be avoided as much as possible.[114] And lastly, as the historians Jürgen Kocka and Heinz-Gerhard Haupt write: "Comparison means abstraction."[115] Comparing the cases chosen, it is paramount to remember that the topics and contexts compared are differently interpreted, translated, or perceived in each varying case.[116] The cases should be fitting to be compared with each other, as a comparison between two completely different things may lead to unusable results. Also, synchronic and diachronic comparisons mandate careful evaluation of what is to be compared when, as the specific application of a concept can shift rapidly and independently. Therefore, it is important to retain an overview of the subject of the study, necessitating a clear delineation of what is to be studied.

3.1. Inner sovereignty

Thus, the complex concept of sovereignty must be condensed and dissected for this thesis. Based on the findings above, one of the two defining characteristics of political sovereignty, as it is understood for the purpose of this thesis, is inner sovereignty. As the cases studied in this thesis are all states, inner sovereignty will be understood as the ability of a state to act autonomously and with full ruling competencies within its own structure and territory. This approach needs a state to fulfil a set of requirements to exert inner sovereignty.

Firstly, it must be able to pass laws on its own territory, thus possessing a legislative competency. These laws must be designed and enacted by its own organs without the involvement of external actors and cannot be imposed. Notable and important exceptions, especially during the Cold War, are laws that are adopted via membership in an alliance or supranational organisation, or, more recently, the laws enacted in the European Union and ratified by each member state. Thus, the ratification of the *UN Declaration of Human Rights*, or the adaption to trade standards created by the International Organization for Standardization, or ISO, as well as the integration of military

[112] Kaelble 2017, p. 24.
[113] Haupt & Kocka 2009b, p. 12.
[114] Haupt & Kocka 2009b, p. 13.
[115] Haupt & Kocka 2009b, p. 14.
[116] Juneja & Pernau 2009, p. 112f.

procedures into an alliance, is not inhibiting the state's sovereignty, as far as it is agreeing to these measures voluntarily and not under duress. Any law passed under the threat of repercussions or military intervention by external actors would thus constitute a breach of sovereignty.

Secondly, it must be able to keep all its territory and subjects under its control and thus establish territorial integrity. This includes enforcing the laws passed by the executive branch of government. Any annexation of territory by an external force or the presence of hostile forces on its own territory is an obstacle to inner sovereignty. However, the presence of foreign forces *per se* does not inhibit a state's sovereignty, provided it is in accordance with the state's own decisions and will. This means that, contrary to Mrs Wagenknecht's interpretation mentioned in the introduction, the stationing of allied troops or the presence of peacekeeper forces, provided they are stationed in accordance with the hosting state, does not constitute a breach of sovereignty. This also entails that the jurisdiction of the hosting country is the highest authority, although special agreements between the hosted and the host are no hindrance to sovereignty either. For enforcing law and gubernatorial authority, the police forces are the armed branch of the executive.

And lastly, to uphold its inner sovereignty, a state must be able to leave and join any political or military alliance at any point, including the renunciation of laws enacted to comply with international or supranational standards. This also affects military integration and the expulsion of foreign forces. Should the hosting state be unable to enforce this or be bound by treaties enacted without their participation, this constitutes a breach of inner sovereignty. This mandates that a state must have sufficient military or paramilitary resources to enforce its own decisions, highlighting the need for either smart diplomacy or staunch defence policies.

In summary, inner sovereignty for the purpose of this thesis is thus characterised as follows: ability to enact laws autonomously, to govern without external interference, total control over territory and subjects, as well as the ability to enact decisions domestically without any regard to external demands.

3.2. External sovereignty

External sovereignty, conversely, is the ability of a state to represent itself and its interests in the international and supranational arena. The counterpiece to inner sovereignty is, in this thesis, understood as the ability of a state to autonomously represent itself on the international political stage and conduct any international and supernational dealings without interference or intervention from external actors. This implies that the states studied are acting as an equal part with other actors on this level and must thus not only be accepted as such by others but also are expected to respect the sovereignty of others, reminiscent of Bodin and Vattel. A closer look at the elements of external sovereignty is needed to gain a deeper understanding of its implications.

Acting on the international stage has been one of the foremost characteristics of a state. Its relationship with the outside world has become a vital part of its ability to survive in a globalised world, as military threats, the interlinked global economy, and the influence of supranational and international organisations such as the UN or NATO have gained influence. This is especially true for the Cold War, where these dynamics in a bipolar world intensified rapidly. It is thus especially important for a sovereign state to be able to represent itself and be heard and recognised by others in both the sphere inside and outside of the blocs, to communicate their will and demands and condemn actions they deem intolerable. Any successful attempt by enemies or domineering, *pro forma* allied powers is thus a considerable breach of external sovereignty. A fitting example is the intervention of Soviet forces in Hungary, an action opposed by the Polish government, which was then still praised in official political communication afterwards.[117] However, it is important to remember that mere membership in an organisation or alliance, as well as the adoption of their decisions, political stance, and standards, is not a breach of sovereignty, as long as it reflects the will and uninfluenced decisions of the enacting state.

Another effect of the dynamics in the Cold War was the emergence of an all-encompassing supranational organisation, which by definition, was meant to include all sovereign nations as egalitarian partners.[118] However, there are cases in which the external sovereignty of states was not recognised in this forum, such as in the complicated case of the Republic of China, colloquially referred to as Taiwan. Another interesting case is that of Germany, which will be examined later in this thesis. Thus, external sovereignty has been made a formality easily palpable within the confines of the UN, making membership in it mandatory for the recognition of a state's sovereignty.

Furthermore, a state must be able to exercise all dealings connected to external sovereignty to be sovereign. This includes full control over external trade, monetary policies, international diplomacy, and military involvement. As for trade, the state must be able to trade with virtually any entity to be sovereign, but can choose to abstain from trading with partners deemed unsuitable. In the Cold War, the economic orientation of the blocs severely inhibited inter-bloc trade, and the superpowers intervened in the businesses of their allies to protect their own economy. The adoption of different standards and the dichotomy of a market and planned economy further complicated the issue. While this is not necessarily a breach of external sovereignty, the economic pressure of both superpowers on their bloc was intense enough to influence decisions to their benefit, negating the free will of the enacting state. In the East, a restrictive monetary policy connected to the Soviet Ruble further complicated trade with hard currency, increasing reliance on barter trade with the outside world and dependence on the USSR.[119] Another aspect is the implementation of international sanctions and boycotts, ranging from the US sanctions against

[117] Lendvai 2010, p. 199f.
[118] *United Nations Charter, Chapter I: Purposes and Principles* 1945.
[119] Nakamura 2017, p. 133f.

Cuba, some of which remain in effect to this day, to the Olympic boycotts of 1980 and 1984. In 1980, Western countries boycotted the Moscow Games in protest of the Soviet invasion of Afghanistan, while in 1984, the Soviets and their allies reciprocated by refusing to participate in the Los Angeles Games.[120] Again, all these aspects are no issue if they are decided voluntarily and without pressure from an outside actor. The collective decision of the European states on sanctions on Russia in the wake of the 2022 invasion of Ukraine is an excellent example. However, Cold War dynamics and the enormous pressure inside the blocs significantly inhibited the external sovereignty of their junior members.

Thus, in summary, external sovereignty for the purpose of this thesis will be approached as follows: external sovereignty is the ability of a state to represent itself and its will autonomously in the international and supernational arena, as well as being able to act as an equal partner, not subjugating itself to any external pressures and being free of any external intervention.

However, the cases studied in this thesis are not likely to produce any findings that are as clear-cut as sovereign or not sovereign. As established above, a state's willingness and voluntary action are important to consider, but are not always apparent at first glance. The power dynamics of the Cold War and the constant military and economic threats have led to decisions that appear to be voluntary but are the product of an intense external threat or fear of subjugation. This led to many national competencies being transferred to external actors or organisations, with some states entering a grey zone between being sovereign or not. This will be referred to as limited sovereignty.

3.3. Limited sovereignty

As the end of the Second World War approached, it became clear that the power dynamics had shifted. Europe's remaining colonial superpowers were in financial and political turmoil, in addition to their unfavourable moral position during decolonisation, and many of the continent's former great powers, such as Germany and Italy, lay in ruin. Thus, new states were created while others had to integrate into the new order imposed by the new superpowers, the USSR and the USA. This meant that the new states had to fulfil the demands and expectations to be tolerated or even accepted by new overlords, who were able and willing to use their exclusive control over their nuclear arsenals to further their goals.

This, of course, had a significant impact on the states' abilities to exercise their sovereignty. Both blocs claimed to defend the sovereign rights of each member state from the other's expansionist ambitions, and both condemned the other for violating the sovereignty of their members. Thus, at least *de jure*, all states within both blocs were regarded as sovereign, or at a minimum as possessing sovereign rights. But, as described above, the superpowers were willing to enforce their will with

[120] Marcin Kobierecki, p. 95f.

interventionist behaviour, becoming most apparent in the so-called "doctrines." Be it the Truman Doctrine of the US or the Brezhnev Doctrine of the USSR,[121] the superpowers were open about their readiness to intervene should an allied country have ambitions to switch ideology. Under this pressure, many states chose to adapt rather than succumb and embraced policy and political stances tolerated and encouraged by the superpowers. This is what will subsequently be referred to as limited sovereignty.

An example: In 1947, the Japanese state ratified and adopted a new constitution, renouncing in Article Nine its sovereign right to belligerency, the right to wage war, even if justified.[122] This constitution was created under the looming shadow of the traumatic effects of the Second World War and with help from the US. Japanese authorities signed it under significant political and economic pressure, making it unclear whether it constitutes a breach of sovereignty. As established above, the renunciation of sovereign rights *per se* is not the renunciation of sovereignty altogether, as long as it happens voluntarily. In the case of Japan, the political pressure and the dependence on American economic aid make this an ambiguous case. On the one hand, the Japanese signed without any overt threat, but on the other, they could not afford to push the US away. Thus, the Japanese constitution, with major concessions to the US, is a case of limited sovereignty, as the constitution enabled Japan to freely act domestically and internationally, albeit with significant limits to its defence, becoming dependent on external military aid.

However, the case of limited sovereignty in Japan reached another dimension after the experiences of the Korean War. As both NATO and its Asian counterpart, the Southeast Asia Treaty Organization, SEATO, were engaging in ever-bigger military spending and diversified warfare, the Japanese were encouraged to participate in this endeavour. Thus, in 1954, the Japan Self-Defense Forces were founded to alleviate the pressure on SEATO to protect Japan and to bolster Japanese resistance towards perceived communist aggression.[123] However, this was not well received in Japan, and protests on the streets and within the government made the adoption process arduous, with resistance ongoing to this day.[124] However, political pressure from the US and economic incentives influenced Tokyo to reinterpret Article Nine and remilitarise. Thus, the example of Japanese de- and subsequent remilitarisation makes limited sovereignty palpable. It will be of central importance for the analysis of the three case studies presented below.

In summary, three big categories of sovereignty have been established that can be analysed in this thesis and used comparatively, enabling a transnational approach to a conceptual history of sovereignty during the Cold War.

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[121] Keremidchieva 2024, p. 26f.
[122] *The Constitution of Japan* 1947, art. 9.
[123] Sakaki, Maull, Lukner, Krauss, & Berger 2020, p. 28.
[124] Sakaki et al. 2020, p. 180f.

4. Cold War sovereignty

As established above, the chaos of the Second World War had reshuffled the pre-war order and brought new superpowers to the forefront. France and the UK, as well as Italy and Germany, had all lost considerable hard power in the sense of economic and military might, but also soft power, as their weakness in the face of fascist aggression and its subsequent demise had cracked the façade of their invincibility that lay the foundation for their domineering attitudes. Even worse, the inability of the European allied powers to resist fascism on their own, relying instead on considerable aid from the US and military relief from their eastern ally, the Soviets, marked the end of European hegemony. As the Red Army hoisted its flag on the *Reichstag* and American bombers dropped nuclear weapons on Hiroshima and Nagasaki, the centres of power shifted towards Moscow and Washington D.C, while London and Paris were reeling to regain control over a war-torn economy and disconnected colonial empire. This had already become apparent during Allied conferences in Tehran and Yalta during the war.[125]

With the defeat of the Axis powers imminent, the Allies began formulating their first plans for the future of a defeated Germany. For example, the US government did not view victory over Nazi Germany as the liberation of the German people from a criminal regime, but as a military triumph over a hostile state: "Germany will not be occupied for the purpose of liberation but as a defeated enemy nation."[126] The USSR and the UK had been fighting a defensive war for years, but by early 1945, their success had enabled them to turn to the offensive, bringing them into the German heartland and within striking distance of Berlin.[127] However, even before the final defeat of the Nazi system, questions arose about how the occupied German territory should be managed and controlled.

In January 1945, the leaders of the UK, Winston Churchill; the US, Franklin Delano Roosevelt; and the USSR, Josef Stalin, met in the Crimea. The goal of the Yalta Conference was to establish a post-war order that all three powers could tolerate. In addition to military agreements and consultations about the impending war in Japan, Germany and the European territories liberated from its occupation were at the centre of discussions. At the Yalta Conference, the three victorious powers decided to divide the German territory,[128] with France joining later. The former eastern German territories in present-day Poland, which had already been occupied by the Red Army, were to be annexed by the USSR. At the time of the conference in Yalta, Soviet troops had already occupied, or in their own terms, "liberated", virtually all territory from the Black Sea to the Austrian lowlands.

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[125] Roberts 2007, p. 6.
[126] *Directive to Commander in Chief of United States Forces of Occupation Regarding the Military Government of Germany* 1945, art. 4b.
[127] Bessel 2009, p. 7f.
[128] Mastny 1975, p. 489f.

However, already during the Tehran Conference in 1943, the Allies had agreed that Germany should not be annexed and were drawing up a new order of European nations. While it was clear that the countries situated along the western front were to be liberated from Nazi occupation and regain their pre-war status, the situation was less clear cut in the south and the east.[129] Italy, the cradle of the fascist movement, had been politically torn from 1942 onwards, and its *Duce*, Benito Mussolini, was lynched in 1945. The heavy presence of western Allied troops in the country led to a swift transfer of power to a western-aligned democracy, with the Republic of Italy superseding the Kingdom of Italy on June 2nd, 1946.[130] In Yugoslavia, the socialist led resistance assumed power, gaining some territories from Italy and Austria, remaining independent of any major powers, since the resistance managed to liberate the country without allied troops driving out the Axis forces.[131] Albania followed a similar path, only aligning itself heavily with the Soviet Union.[132] Greece gained some territory from Italy and Bulgaria, but quickly descended into civil war, ultimately aligning itself with the western Allies after significant US economic and political intervention.[133]

In the east, where Soviet troops were ushering out remaining German forces and their collaborators, the Allies were willing to agree on a Soviet sphere of influence, significantly altering the order of eastern Europe. Soviet military power and the fear of prolonging the war put the Soviets in a position of strength and created urgency to reach a decision.[134] Thus, Bulgaria, Romania, Hungary, Czechoslovakia, and Poland were all equipped with a pro-Soviet, socialist government and were firmly integrated into the economic, political, ideological, and military system dominated by Moscow.[135] The USSR itself annexed significant territories, such as the entirety of the Baltic states, parts of Hungary and Romania, and virtually moved the entirety of Poland from east to west, replacing Soviet annexed territories with land taken from Germany, thus drawing the borders along the Oder and Bug rivers.[136]

However, some cases remained unresolved at Tehran and Yalta, presenting contentious and critical issues to be addressed after the war, when relations among the Allied powers had already begun to sour.

4.1. Ambiguous cases

As the Second World War ended on the European front and the focus of the armed conflict shifted to the Pacific, the Allies reconvened in Potsdam to discuss the post-war order, reaffirming the

[129] Mastny 1975, p. 485.
[130] Del Pero 2019, p. 7.
[131] Ognjenović, Mataušić, & Jozelić 2016, p. 15f.
[132] Mëhilli 2017, p. 38f.
[133] Gerolymatos 2016, p. XII.
[134] Mastny 1975, p. 482f.
[135] Kramer 2013, p. 11–21.
[136] Kamusella 2010, p. 122f.

decisions made at Tehran and Yalta, now focusing on how to deal with Germany. The presence of troops from all Allies rendered the situation in Germany distinct from virtually all other territories. The conflicting ideologies, political agendas, economic systems, wartime experiences, and postwar expectations of the Allied powers, particularly evident in the growing divide between the western Allies and the USSR, produced irreconcilable differences that gave rise to unforeseen developments, which form the basis for the analysis below.

While the *Wehrmacht* had capitulated and the Nazi *Reich* seized to exist shortly after, thus ending the war with Germany without any peace talks, the war with other Axis members continued *de jure* until 1947, when the *Paris Peace Treaties* ended the state of war between the Allies and Italy, Romania, Hungary, Bulgaria, as well as Finland.[137] However, while the first four nations were occupied and "liberated" by Allied forces and were thus rendered defenceless and unable to wage war, Finland had agreed to an armistice after yet another failed Soviet offensive and had engaged in hostilities with their former ally, Germany. This spared most of the Finnish territory from Soviet occupation, and it thus still possessed significant military, political, and economic capabilities as well as autonomy.[138] This special status set Finland apart from the rest of the nations on the eastern front, rendering it an interesting case for analysis. The last days of the Finnish war effort and the political and diplomatic efforts to keep it autonomous in the second half of the 1940s will be recounted in detail below.

These cases stand apart from other nations after the Second World War, which either returned to pre-war status or were incorporated into a new ideological bloc. The unique developments and challenges they posed for international relations and diplomacy provide an opportunity to test the method and theory established above against cases that hold significant ambiguities and challenges for the concept of sovereignty. This is most evident in a country that some historians and political scientists have claimed all but ceased to exist in May 1945.

4.1.1. Post-war Germany

The war had affected the Germans long before Allied troops entered their country. Starting in 1940, Allied air raids were conducted, targeting nearly all cities and military sites. This led to the collapse of local infrastructure and widespread civilian suffering. Tens of thousands died, and millions were left homeless or fled the devastated cities, where disease and violence were rampant. As the *Reich* progressively collapsed, the Red Army and later the western Allies advanced into Germany. In these final months, more German soldiers died in futile battles than in all earlier

[137] *Treaties of peace with Italy, Bulgaria, Hungary, Roumania, and Finland* 1947.
[138] Clerc 2023, p. 31f.

phases of the war combined, while millions of refugees were forced into the shrinking *Reich*, overwhelming its bombed-out cities.[139]

The hostilities in the European theatre of the Second World War ended on May 8th/9th, 1945, with the unconditional surrender of German forces, after the loss of Berlin and large parts of its territory. The Nazi forces were heavily depleted, and military equipment was scarce.[140] The last hope of the fanatical defenders evaporated when the suicide of the self-proclaimed *Führer,* Adolf Hitler, was announced on April 30th, 1945. Historian Klaus Hildebrand describes this not merely as a defeat, but as a total defeat.[141] After the unconditional surrender, the Allies took control of the former German territory. They came prepared, and the chaos in Germany was to be quickly replaced by a more regulated system of power and a return to civilian life.

As described above, the Allies had agreed on restructuring significant parts of the European order of states after the war, but no country was to be as thoroughly reshaped as Germany. In addition to ceding major parts of its territory to surrounding states, such as France and Poland, its core territory was to be divided among the victorious Allies. East Germany went to the Soviets, the UK was to take control of northern and western Germany, the US took responsibility for large parts of southern Germany and Bremen, while France assumed responsibility for the southwest. Furthermore, Berlin was similarly divided, while the Saarland was placed under international administration. Additionally, with the decisions made at Yalta, Germany lost its claims to Austria and all previously conquered territories.[142]

However, since the 1943 Tehran Conference, the Allies had explicitly stated that Germany should not be annexed. Instead, Germany was to continue as a newly founded, democratically governed, and sovereign state.[143] After the dissolution of the last Nazi administration on May 23rd, 1945, the Allies took over the Supreme Authority over German territory and the Third *Reich* seized to exist.[144]

Immediately after the defeat of Nazi Germany, the Allies disarmed all *Wehrmacht* units and prohibited the wearing of their insignia and uniforms.[145] The National Socialist German Workers' Party, NSDAP, and all its affiliated organisations, including their armed elements and youth groups, were banned and dissolved.[146] The Allied forces thus remained the only legitimate armed units on German soil. They were also responsible for maintaining order in Germany per Article 42 of the

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139 Bessel 2009, p. 90f.
140 Bessel 2009, p. 14.
141 Hildebrand 1991, p. 26.
142 *Protokoll zwischen den Regierungen der Vereinigten Staaten von Amerika, des Vereinigten Königreiches und der UdSSR über die Besatzungszonen in Deutschland und die Verwaltung von 'Groß-Berlin'* 1944, art. 2.
143 Stuby 1987, p. 42.
144 Raap 1992, p. 34.
145 *Order No. 1: Prohibiting the Wearing of Uniform by Former Members of the German Armed Forces* 1945.
146 *Law No. 2: Providing for the Termination and Liquidation of the Nazi Organisations* 1945.

1899 Hague Convention, which they enforced under the jurisdiction of their respective armed forces.[147] Finally, with the assumption of all police duties, the occupation of Germany began.

Christian Raap describes the Allied administration of the post-war German territory as a hybrid between a wartime occupation, or *occupatio bellica*, and an occupation by trustees and guardians ensuring the transition to democracy in a period of enforced peace, as mandated by the *Hague Convention*. The victorious powers exercised authority in their occupation zones based on their own military laws and directives, an outcome directly resulting from the Allied military occupation and the dissolution of all German authorities. However, since Tehran, the victorious powers had emphasised the continued right of the German people to self-representation. Even immediately after the cessation of hostilities, the *Berlin Declaration* emphasised that Germany would not be annexed. Instead, the "victorious powers" would take over the governance in the absence of a "central Government or authority in Germany capable of accepting responsibility for the maintenance of order, the administration of the country and compliance with the requirements of the victorious Powers."[148] Raap interprets this as the Allies acting as trustees in post-war Germany, assuming the role of occupiers to enable the reconstruction of a functioning German administration.[149]

Initially deployed for combat, Allied forces saw their role transform after their victory. In the absence of an enemy, they assumed administrative and crisis relief duties despite lacking adequate training, in a country devastated by war. The already dire situation was exacerbated by a plundered hinterland and a severe winter, all the while three of four Allies faced severe postwar economic constraints themselves. This also presented a psychological challenge: they were now responsible for assisting a population previously regarded as the enemy, complicit in wartime atrocities. These challenges complicated Allied administrative control over German territory for the foreseeable future. Moreover, the geopolitical vacuum following the collapse of the Axis reordered Europe's political landscape.[150]

Reconvening in Potsdam, this remained the focus of discussions. Before negotiations on the fate of German territories could begin, the Soviets surprisingly announced the founding of a new Polish state.[151] This signalled first rifts between the former allies, with the West being impotent to veto this in the face of the strong presence of the Red Army. The remaining former German territory was divided or incorporated according to the Yalta agreements.[152] The Allied Control Council, formed by the four victorious powers, was to outline the future of a new German state

[147] *Convention with Respect to the Laws and Customs of War on Land (Hague II)* 1899, art. 42.
[148] *Defeat of Germany: Assumption of Supreme Authority by Allied Powers* 1945, sec. preamble.
[149] Raap 1992, p. 36.
[150] Rolf-Dieter Müller & Ueberschär 1994, p. 41f.
[151] Raap 1992, p. 54f.
[152] Raap 1992, p. 62–64.

and coordinate activities in the individual zones. Raap refers to this division as an occupation on two levels, the zonal and the pan-German level.[153]

Potsdam changed Germany, as it was cut down, demilitarised, and became foreign-administered. Thus, immediately after the end of the war, there was no sovereign state in Germany in the absence of a German government, German civil administration, and self-governance. The Allied control institutions took over all aspects of German internal and external sovereignty. Although Nazi rule had ended and all party and state organisations had been banned, the German state itself was never formally dissolved. With the *Berlin Declaration*, the Allies simply took over the supreme authority over German territory. Despite ongoing debates about the continued existence or dissolution of a German state after the war, this thesis holds that with the Allies assuming virtually total power, the German state ceased to exist in 1945. However, in the years that followed, significant tensions arose between the Allies.

They agreed on the need to neutralise Germany's military potential. The trauma of two World Wars led especially the European Allies to demand the complete demilitarisation of Germany. To achieve this goal, some of the Allies' plans took absurd turns, such as the plan proposed by American economist Henry Morgenthau Jr., calling for the total deindustrialisation of Germany, transforming it into an agricultural country.[154] The drive to completely disarm Germany also meant that the Allies could not accept a conditional surrender, as Nazism was deemed too much a threat. Indeed, the Weimar Republic military had played a significant role in the re-emergence of German military potential before the war. Occupying Germany was the only feasible way to implement the goal of total demilitarisation.[155]

However, this also created a power vacuum in the centre of Europe, especially as the territory itself did not remain demilitarised. Foreign administration and its security needs forced the victorious powers to keep significant forces stationed in Germany. Thus, German territory became a staging ground for the armies of the victorious powers.[156] In the final phase of the war, the western Allies and the USSR raced to Berlin, which held both symbolic and strategic significance for the advancing front.[157] While meeting Allied troops had celebrated together, the fronts hardened after the Potsdam Conference. In 1945, the conference outlined the five "D's": democratisation, denazification, demilitarisation, dismantling of industry, and decentralisation, as well as the creation of a common economic area.[158] Real-world developments, however, soon took a different course.

[153] Raap 1992, p. 41f.
[154] Smyser 1999, p. 11f.
[155] Hildebrand 1991, p. 27.
[156] Hildebrand 1991, p. 11.
[157] Sharp 1975, p. 131.
[158] Stuby 1987, p. 43f.

While the British and Americans focused on reconstruction, the French and Soviets pursued industrial dismantling. In the Soviet zone, businesses were expropriated, factories relocated, and land reforms enacted, creating a planned economy. This broadened the rift with the free-market societies in the West.[159] The administrative restructuring also proceeded divergently, with centralised administration in the British zone, while the Americans organised their zone federatively. In the Soviet zone, the first *Länder*, states, emerged as regional administrative units. These divergent approaches led to problems in the joint planning of Germany's future in the Allied Control Council.[160]

This was a symptom of global geopolitical developments. Even before Japan's surrender, mistrust had developed between the western Allies and the USSR. Despite the Lend-Lease agreements, supplying western arms to the Red Army, no political trust ever developed. However, binding German forces in eastern Europe was paramount, with Roosevelt accepting the necessity to "hold hands with the devil."[161] This need disappeared with the defeat of the Axis.

The USSR now presented a substantial threat to the western Allies. Similarly, its former Allies became an obstacle for the USSR in pursuing its geopolitical goals. The use of nuclear weapons against Japan presented a level of destruction never seen before, and the effects on the Soviets were immense. While the conventional combat power of the Red Army was unmatched, the atomic bomb tipped the balance of power to benefit the West. Thus, the western Allies could not stop Soviet expansion in the East, as Red Army dominance precluded intervention, while, vice versa, nuclear deterrence and Anglo-American unity deterred Soviet aggression, making Germany the frontline of two opposing ideological blocs.[162]

Consequently, the task of the stationed troops in each occupation zone changed again. Initially deployed to fight Nazi Germany, Allied troops remained after the war to stabilize the occupied territories and restore civil administration. However, with their new ideological adversary in immediate proximity, their role shifted yet again from an *occupatio bellica* to defending the territory. Despite improving civil conditions, troop levels grew in response to the new external threats.[163]

War paranoia prompted calls for active German military participation. While Potsdam mandated complete demilitarisation and decentralisation, the geopolitical realities had changed dramatically. It was no longer the occupied and thus impotent Germany that posed a threat, but the ideological enemy and former ally in the opposing zones. This new threat incentivised each power to shape its occupation zone as a model of ideological and systemic superiority, with individual zones, not Germany as a whole, becoming the blueprints for the country's future. Soon, however, it became

[159] Smyser 1999, p. 34f.
[160] Weber 2020, p. 46f.
[161] Bureau of Public Affairs & The Office of Electronic Information 2008.
[162] Stuby 1987, p. 38f.
[163] Raap 1992, p. 44–46.

obvious that two, not four, blocs were taking shape.[164] The development towards this division occurred in several stages.

The British zone established *Länder* for administrative purposes, though supreme authority remained with the central command. The French also created *Länder*, but similarly retained full control, with the Saarland remaining a separate protectorate under military rule. In contrast, the American zone saw the most autonomy of *Länder*, and encouraged independent German administration, limiting itself to oversight.[165] In the Soviet zone, the *Länder* were governed by a civilian central administration that served merely as a façade for the military central administration of the Red Army in Germany.[166]

To continue the economic development of Germany according to the Potsdam plans, the British administration planned a common economic area with the Americans. The French military administration opposed such plans, citing the aim of decentralisation.[167] The USSR was never involved in these considerations, as socialist structures in the eastern zone made cooperation impossible. In the fall of 1946, the British administration decided on the political emancipation of its *Länder*, modelled after the American system. Decentralised authorities were established to manage aspects of the now jointly controlled territory. These German institutions at the state level paved the way for regional, semi-sovereign German self-administration.[168] Thus, in 1947, the British American Bizone was created. Mainly administered by Germans, the Americans and British retained intervention rights. From the onset, the Marshall Plan spurred economic growth in the Bizone, making its model increasingly attractive. Despite French resistance, its *Länder* began participating in Bizone meetings, as economic progress in the French zone lagged without Marshall Plan aid. Under these pressures, France agreed to join a Trizone, with the Saarland remaining a separate protectorate. The French zone was formally integrated on April 8th, 1949.[169]

Meanwhile, relations with the Soviets deteriorated even further. To address the influx of displaced persons, DPs, the Potsdam Agreement mandated their redistribution among the occupation zones.[170] In return for expelling ethnic Germans, the Soviets were to supply their food and fuel, while the western Allies pledged industrial goods in turn. However, Soviet deliveries never materialised, leading the West to stop theirs, marking the breakdown of a key diplomatic exchange.[171]

Further economic cooperation with the USSR became impossible in the spring of 1948, after the western powers had conducted a currency reform. The Soviets responded with their own

[164] Stuby 1987, p. 58.
[165] Benz 2018, p. 239.
[166] Weber 2020, p. 43.
[167] Benz 2018, p. 235.
[168] Benz 2018, p. 122.
[169] Haftendorn 1993, p. 43.
[170] Smyser 1999, p. 21f.
[171] Smyser 1999, p. 46.

currency reform. The *Rentenmark*, which had been in use across all four zones, was thus rendered obsolete,[172] making monetary transactions between the western zones and the eastern zone impossible.[173]

Politically, the Potsdam Agreement envisioned democratisation in all zones, including free elections and political parties. In 1946, elections were held in all German zones.[174] Even in the Soviet zone, democratic principles were supposed to prevail, with the Central Committee of the Communist Party of the USSR stating on June 11th, 1945: "We believe that to impose the Soviet system on Germany is wrong […] We rather intend to establish an anti-fascist, democratic regime, a parliamentary-democratic republic with all democratic rights and freedoms for the people, that is the right path."[175] However, the results in the Soviet zone elections were deemed unsatisfactory, leading to a forced consolidation of all anti-fascist parties. The resulting *Sozialistische Einheitspartei Deutschlands*, SED, became a cadre party of Soviet-approved *apparatchiks*. The SED was to assume political leadership in the eastern zone, akin to the Soviet-style single-party system.[176]

In western Germany, in addition to several smaller parties, two large parties emerged at either end of the political spectrum. On the left, the social democrat *Sozialdemokratische Partei Deutschlands*, SPD, after long exile during the Nazi terror, re-entered the political arena. The SPD sought rapprochement with its Soviet sister-party, but the forced merger of the eastern SPD into the SED disillusioned many western Social Democrats.[177] The aggressive expansion of the USSR led Social Democrats, in distinction to the west German Communists, to adopt a more moderate political course. The *Christlich Demokratische/Soziale Union*, CDU/CSU, covered the centre-right. Founded by members of conservative and liberal parties in the Weimar Republic, the so-called Union quickly became a close political partner of the western powers. It advocated for market-based economic principles and close ties with the West, particularly with the US.[178] Quickly gaining political success, a bourgeois-conservative force emerged alongside the traditional and enormously popular SPD.

Thus, by mid-1949, Germany had *de facto* been divided into two parts. The Potsdam goals of a unified reconstruction had become unachievable, and coordinated development was no longer viable. Germany was set to continue existing as a divided country.

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[172] Benz 2018, p. 267.
[173] Hildebrand 1991, p. 8f.
[174] Stuby 1987, p. 44.
[175] German: „Wir sind der Auffassung, das [sic!] der Weg, Deutschland das Sowjetsystem aufzuzwingen, falsch wäre, […]. Wir sind vielmehr der Auffassung […] den Weg der Aufrichtung eines antifaschistischen, demokratischen Regimes, einer parlamentarisch-demokratischen Republik mit allen demokratischen Rechten und Freiheiten für das Volk [einzuschlagen].", in: Zentralkomitee der KPdSU 1967, p. 14f.
[176] Benz 2018, p. 131.
[177] Weber 2020, p. 37.
[178] Hildebrand 1991, p. 24.

4.1.2. The Federal Republic of Germany

The increasingly divergent developments in the occupation zones marked the end of the military foreign administration of Germany. The Berlin Blockade of 1948, a consequence of the dual currency reform, marked the first military escalation in an emerging conflict between the former Allies. The USSR had blocked the land route into Berlin. As a result, the western powers were forced to supply West Berlin by air, with planes called *Rosinenbomber*, or "raisin bombers", becoming the lifeline for the encircled zones. At the diplomatic level, the failure of several conferences also clearly indicated the end of constructive cooperation between the occupiers. After the formation of the Trizone, the Soviet administration in the east categorically rejected the idea of a union with the rest of Germany. The goal of establishing a democratic government in a unified post-war Germany, which had been agreed upon at Potsdam, thus failed due to the discord between the two hostile ideological blocs.

On July 1st, 1948, the military commands of the Trizone zones tasked the *Länder* with drafting a plan for a future German state in their territories. In the so-called *Frankfurt documents*, the western Allies permitted the drafting of a constitution.[179] However, it had to be approved by the military governors, although a referendum on the acceptance of the constitution in the respective *Länder* was to be decisive. The documents underscored that the western Allies would reserve extensive intervention rights, particularly on foreign trade and constitutional amendments.[180]

All western *Länder* premiers met in Koblenz to discuss the documents. Their disapproval of the Allied suggestions became clear when they invited the acting mayor of Berlin, Louise Schroeder, to the conference. West Berlin had explicitly not been included in the proposal, a circumstance the *Länder* could not accept. Additionally, the limited unification of only the western zones faced criticism, as it entailed the loss of the eastern zone, an unacceptable prospect for many politicians. Consequently, the *Länder* premiers could not accept the proposals, as following them and founding a new German state would have meant splitting Germany.[181]

Instead, the conference proposed the creation of a provisional Parliamentary Council to draft a *Grundgesetz*, or *Basic Law*, rather than a constitution. This meant that any administrative body created based on these decisions would be provisional and would not constitute a newly founded German state.[182] Following angry reactions from the Allied Commissioners,[183] the *Länder* premiers met again, this time at the Niederwald Conference, where they decided to go through with their plan. Here, the final configuration of the West German *Länder* was agreed upon, which still exists today. Additionally, the acceptance of the occupation statute required by the third of the *Frankfurt*

[179] *Dokumente zur künftigen politischen Entwicklung Deutschlands (Frankfurter Dokumente)* 1948, pt. 1.
[180] *Dokumente zur künftigen politischen Entwicklung Deutschlands (Frankfurter Dokumente)* 1948, pt. 3.
[181] *Stellungnahme der westdeutschen Ministerpräsidenten zu den Frankfurter Dokumenten (Koblenzer Beschlüsse)* 1948.
[182] Benz 2018, p. 288.
[183] Gimbel 1971, p. 282f.

Documents was also agreed upon. Thus, the west German *Länder* premiers formally accepted the division of Germany. The western Allies' rights to diplomatically represent Germany, control its foreign trade, and take charge of discussions on matters concerning the whole of Germany, however, marked a significant infringement on the sovereignty of the future West German state. The western Allies' right to veto any decision by any prospective government also greatly curtailed its sovereignty.

In August 1948, the constitutional convention gathered at Herrenchiemsee. Here, the delegates of the *Länder* governments recommended creating a bicameral, federal system. While the nationally elected *Bundestag* was to appoint the federal government and draft federal laws, the *Länder* were to form a regional counterbalance in the *Bundesrat*. The budget would also be divided between federal and state funds, indicative of the heavy emphasis on federalism.[184]

On September 1st, 1948, the Parliamentary Council adopted the proposals from Herrenchiemsee after lengthy discussions in Bonn. The 65 state-appointed representatives, including five from Berlin, were evenly split between left- and right-wing factions.[185] The council reaffirmed the emphasis on federalism, rule of law, protection of personal rights, and separation of powers. This was complemented by *Wehrhafte Demokratie*, defensive democracy, which entails institutions such as the Federal Constitutional Court, designed to combat anti-democratic movements.

The 36th draft of *Grundgesetz* was adopted by the Parliamentary Council on May 8th, 1949, exactly four years after the defeat of Nazism. Only representatives of the parties on the far fringes of the political spectrum refused to give their approval.[186] The council, however, was unable to achieve the desired unity of all German *Länder*, and even Berlin remained a special administrative zone at the request of the western Allies. The western Allies accepted everything else. All state parliaments voted in favour of the new *Grundgesetz*, except for Bavaria.[187] On May 23rd, 1949, the Parliamentary Council ratified the *Basic Law* by publishing it.[188] There were special regional provisions for Berlin, while the *Grundgesetz* had no validity in the Saarland.

With the constitutional-like regulation of a clearly defined West German state territory, a government for this territory was needed. The election of the first *Bundestag* and the first *Bundesrat* session in August 1949 marked the end of the one-year phase of German state formation, and the Parliamentary Council dissolved. Thus, the people of the Trizone had created their own state and became German citizens once again.

However, the western powers did not act out of altruistic motives. Already during the London Six-Power Conference in the spring of 1948, two central goals were agreed upon. In addition to the western victorious powers, representatives from the Benelux countries were invited to the

[184] Verfassungsausschuss der Ministerpräsidenten-Konferenz der westlichen Besatzungszonen 1948, p. 9.
[185] Stiftung Haus der Geschichte der Bundesrepublik Deutschland 2008.
[186] *Zehnte Sitzung der Plenums* 1949, p. 114.
[187] Bayerischer Landtag 1949, p. 2.
[188] *Grundgesetz für die Bundesrepublik Deutschland* 1949.

conference, indicative of a new Western Bloc forming in Europe.[189] Most notably, the USSR was absent. The final four-power meeting in late 1947 ended without agreement, and the Soviet withdrawal from the Allied Control Council made joint governance unworkable.[190] The deliberate exclusion of the Soviets in London was a calculated move to facilitate the reorientation of the western zones in favour of the western European participants.[191] The *Final Communiqué of the Conference* emphasised the importance of West Germany for the reconstruction of the Western European economic area,[192] with the natural resources of the Ruhr region, German heavy industry, and millions of skilled workers being described as vital to this effort. The Bizone and Trizone had been established to enable this, intending to separate the west German economic area from Soviet influence.[193] The plans for political and economic reorganisation eventually led to the *Frankfurt Documents*, with the western Allies reserving extensive rights and privileges for themselves.

A withdrawal of occupation troops from Germany was categorically ruled out "as long as peace in Europe cannot be ensured."[194] This was a clear challenge to the Soviets. Despite maintaining their own high troop levels, the western powers portrayed the Red Army as the primary threat to European peace. Even though the Soviets had been isolated, the western powers still felt bound by the resolutions of the Potsdam conference. Rebuilding a German military contradicted the goal of demilitarisation. Banning heavy armaments aligned with disarmament and deindustrialisation, allowing the Western powers to pursue both aims.[195] Maintaining their own forces in Germany allowed them to counter the conventional military potential of the Red Army and suppress eventual German unrest.

The adoption of the *Basic Law* and the acceptance of the *Frankfurt Documents* formalised these demands.[196] Although the newly founded Federal Republic of Germany could formally govern itself, the ratification of the occupation statute led to a significant limitation of its sovereignty. The western powers took over its foreign policy, where integration into the western European economic space was a priority, controlling West Germany's foreign trade and reserving the right of intervention. The FRG gained full agency in all other areas of politics, administration, and jurisprudence. The government and parliament could pass and implement laws free from allied influence. While the western Allies did not directly interfere in the government's business, they could veto laws and decisions in the Allied High Commission. If necessary, it could declare a state

[189] *Six-Power Communiqué on the Establishment of the International Authority for the Ruhr, London Conference* 1948, art. 1.
[190] Steger 1979, p. 127.
[191] Benz 2018, p. 283.
[192] *Six-Power Communiqué on the Establishment of the International Authority for the Ruhr, London Conference* 1948, art. 2A.
[193] Benz 2018, p. 283.
[194] *Six-Power Communiqué on the Establishment of the International Authority for the Ruhr, London Conference* 1948, art. 5A.
[195] *Six-Power Communiqué on the Establishment of the International Authority for the Ruhr, London Conference* 1948, art. 5B.
[196] *Dokumente zur künftigen politischen Entwicklung Deutschlands (Frankfurter Dokumente)* 1948, pt. 3.

of emergency, restoring full authority to the Allies and stripping the FRG of sovereignty.[197] Only later, a series of treaties and laws would change this.

While the western Allies reserved extensive rights in the FRG, the Soviets were creating a satellite state in the east.

4.1.3. The German Democratic Republic

The USSR strongly protested when the British and Americans merged their zones. Tensions escalated when the French became involved in the Trizone and currency reform. With the blockade of West Berlin and the war in Korea, collaboration between the former Allies waned. In response to the *Frankfurt Documents*, Soviet representatives ended their cooperation in the Allied Control Council.[198]

With the division of Germany becoming foreseeable after the creation of the FRG, it became a reality on October 7th, 1949, as a second German state was created. Under Soviet leadership, East German delegates gathered for the constitutive session of the People's Council and People's Congress to proclaim the German Democratic Republic, abbreviated GDR.[199] Under the leadership of the SED, the GDR became a close ally of its former occupant. The Red Army maintained a strong presence in East Germany, and its economy was streamlined along socialist principles, maintaining exclusive relations with the Socialist Bloc.[200] Rapprochement with the west was impossible due to an undemocratic electoral system and the suppression of virtually all other parties. A particularly striking symbol of the lack of democracy was the violent suppression of protests by the Red Army on June 17th, 1953. The so-called People's or Workers' Uprising attracted significant attention in the West.[201]

The Soviet leadership constantly emphasised the "brotherly" nature of the relationship between the two nations. The GDR quickly signed agreements with other socialist countries, such as recognising the Oder-Neisse Line as its eastern border as early as 1950.[202] Towards the west, however, it was consistently signalled that the GDR was open to reunification talks, provided Germany would be neutral. In the so-called *Stalin Note* of March 10th, 1952, the Soviet leader appealed to the western powers to reunify Germany as a neutralised, demilitarised state.[203] The proposal was euphorically endorsed and echoed by the East German leadership.[204]

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197 *Besatzungsstatut* 1949, arts. 2–5.
198 Raap 1992, p. 44–46.
199 *Gesetz über die Provisorische Regierung der Deutschen Demokratischen Republik* 1949, art. 1.
200 Smyser 1999, p. 34f.
201 German: „Volks- oder Arbeiteraufstand," Spiegel Redaktion 1953.
202 *Abkommen zwischen der Deutschen Demokratischen Republik und der Republik Polen über die Markierung der festgelegten und bestehenden deutsch-polnischen Staatsgrenze* 1950, art. 1.
203 Stalin 1952, p. 2.
204 Dieckmann 1952.

However, the western powers, including the FRG, ignored this offer.[205] With the continued emancipation of Bonn, the socialist efforts to create a unified Germany waned. Meanwhile, the USSR declared that it would conduct its relations with the GDR as it would with any other sovereign state. The GDR was granted the "freedom to decide on its internal and external affairs […] at its own discretion." This included formally leaving the question of Germany as a whole to Berlin, something the western Allies were not prepared to grant to Bonn.[206] Occupation relics, such as the Soviet High Commission, were formally dissolved, and relations were now conducted diplomatically. In practice, however, the Soviets still exerted significant influence on the GDR.

Like the FRG, the GDR also slowly developed towards being a *de jure* sovereign state. After its founding, a phase of severely restricted sovereignty followed, which was eventually formally lifted by treaties. In contrast to the FRG, however, this development did not happen due to political incentives and parliamentary discussion. While Adenauer and the Bonn parties constantly lobbied the western powers to secure more sovereignty, the SED leadership simply followed instructions from Moscow and executed the integration of East German structures into the Soviet Bloc. The omnipresence of Moscow, the lack of political discourse in East Germany and within the Socialist Bloc, as well as the democratic apathy of a unitary system, hindered an autonomous, self-determined political development in the GDR. As a result, only a system dependent on and obedient to the USSR could emerge, where true sovereignty did not exist.

Although the GDR was now *de jure* a sovereign state in eastern Europe, the subordination of the SED leadership to Moscow, the continued strong presence of the Red Army in East Germany, and the lack of democratic legitimacy of the state system hindered the development of state sovereignty. The workers' uprising of 1953 had already shown that the Red Army was not only stationed in East Germany to protect the GDR from threats from the west. The Soviet soldiers also served as a threat and an instrument of repression against dissident movements and were used to keep the East German government within the Soviet line. The 1956 Soviet invasion of Hungary confirmed Moscow's special relationship with suzerain Socialist Bloc states, characterised by violent suppression and dogmatic rigidity.[207]

Moscow's influence in Berlin was to continue to grow with the signing of more treaties and further alignment of the SED, rendering the GDR significantly restricted in matters of sovereignty, as were most nations within the Soviet sphere of interest during the Cold War. One nation, however, was able to resist this.

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[205] Hildebrand 1991, p. 37.
[206] *Erklärung der Regierung der UdSSR über die Gewährung der Souveränität an die Deutsche Demokratische Republik* 1954, art. 1.
[207] Redacted 2005, p. 25f.

4.1.4. The Republic of Finland

Soviet influence shaped policies and decisions in also *de jure* sovereign states outside of Germany. The invasion of the Red Army, a "liberation" in Soviet terminology, had brought virtually all of eastern Europe under Soviet control after the war. A peace treaty was signed with those nations in 1947, including one outlier that had never been occupied by the Soviet forces.[208] The Republic of Finland, allied with Nazi Germany for most of the war after having successfully defended itself from a Soviet invasion in 1939, had signed an armistice treaty with Moscow in September 1944 and subsequently turned on its former ally.[209] This had allowed the Nordic country to remain unoccupied, ceding territory in Karelia and Lapland to the Soviet Union and paying war reparations.

As the Allies at Tehran had already decided that the war between Finland and the USSR was not considered to be part of the larger war, and Finland had never engaged in hostilities with any Ally other than the Soviets, the post-war settlement of Finland fell exclusively into their responsibility. In fact, it had only been allied bilaterally with Germany and never signed the Tripartite Pact.[210]

Thus, Finland found itself in a precarious situation. The western Allies had explicitly handed over the responsibility of Finland to Moscow, and the Finns saw in late 1945 how nation after nation in eastern Europe was forced to align itself with the Soviet system, becoming little more than the Kremlin's satellites. Being a small nation itself, Finland realised that a confrontation with the Red Army was futile.[211] Compromises and cooperation were the only way forward to preserve Finnish sovereignty. The situation in post-war Finland was complex, rendering its case relevant for this thesis. In contrast to Germany, where sovereignty had to be regained, the Republic of Finland continued to exercise sovereign rights, albeit with some caveats. The ceding of territories in the east would have constituted a significant infringement on sovereignty were it not for the agreement of the Finnish government. During and after the war, Finland's status as a democratic republic lent strong legitimacy to its decisions, including those regarding the transfer of sovereign rights and territories. However, it is important to consider the significant external political and military pressure influencing those decisions. Part of the armistice was the lease of Porkkala to the Soviets, a plot just 30 kilometres east of Helsinki intended to be used as a Soviet military base, constituting a major threat to Finland.[212] Being referred to as *Vaaran vuodet*, or *Farans år,* "the years of danger"

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[208] *Treaties of peace with Italy, Bulgaria, Hungary, Roumania, and Finland* 1947.
[209] *Armistice Agreement between the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, on the one hand, and Finland on the other* 1944.
[210] Bohlen, p. 587f.
[211] Rautio 2007, para. 3.
[212] *Armistice Agreement between the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, on the one hand, and Finland on the other* 1944, art. 8.

in English, the period between 1944 and 1948 was marked by extreme caution in Finnish politics to avoid Soviet intervention.[213]

The wartime president of Finland and supreme commander, Carl Gustaf Mannerheim, resigned in 1946 after parliamentary elections and the formation of a new coalition government under Juho Paasikivi, uniting liberal, social democrat, and communist streams. Issues like the payment of reparations, the trial of war criminals, and economic restructuring, all to appease Moscow, were at the forefront of political debates. The Soviets, meanwhile, relied on the Finnish communists to gain a dominant position, facilitating the transition into a socialist system. Developments after 1946 seemed to confirm this expectation, as a majority of ministers and members of parliament hailed from the socialist fraction. This situation turned critical when the communist minister of the interior assumed direct command of the state police, creating the so-called *Punainen Valpo*, or *Röda Stapo*, "Red guards" in English. Together with Soviet agitators, these domestic communist forces planned to assume power, which has been referred to as a "Stalinist revolution from above."[214] However, tentative economic success through exports and a massively influential social democratic campaign against the communist, labelled *Jo riittää*, or "Enough is Enough", heavily funded by the Swedish Social Democratic Party, swayed public opinion. The communists only became the third strongest party in the 1948 parliamentary elections.[215]

This proved to be especially influential on the further political development of Finland, as the relationship with the Soviet Union had been normalised with the peace treaty of 1947 and especially with the *Agreement of Friendship, Cooperation, and Mutual Assistance* of 1948,[216] also called the *YYA Treaty*[217] or the *VSB Treaty*.[218] Moscow's gamble to formally engage in diplomatic relations and to agree to mutual assurances before the communist takeover forced them to now interact with the liberal-social democrat alliance. Paasikivi, fully aware of both expansionism and paranoia in Moscow, focused his entire foreign political course on the goal of achieving maximum autonomy without provoking or threatening Moscow. This doctrine, the Paasikivi-Kekkonen doctrine, named after him and his successor, Urho Kekkonen, was to be the defining guideline of Finnish foreign policy during the Cold War.[219] It *de facto* forced Finland into neutrality, as it had to present itself as non-threatening as possible to the east to avoid invasion and as unaligned as possible to the west to integrate economically.

Staunchly defending personal property rights, Finland remained a free market society throughout the Cold War, eventually joining multiple Free Trade Agreements and maintaining good relations with western nations and organisations. Finnish citizens and companies were free

[213] Seppinen 2008.
[214] Rentola 1997, p. 39f.
[215] Nohlen, Nohlen, & Stöver 2010, p. 606.
[216] *The Agreement of Friendship, Coöperation, and Mutual Assistance* 1948.
[217] Finnish: "Ystävyys-, yhteistyö- ja avunantosopimus."
[218] Swedish: "Vänskaps-, samarbets- och biståndsavtalet."
[219] Rainio-Niemi 2014, p. 34.

to travel and conduct business globally, thanks to passport unions, agreements with the European Community, and fiercely autonomous international diplomacy, seeing Finland become an important member of the UN. Its social stability, an effect of its Nordic Welfare State model, made it an important economic partner for West and East alike in inter-bloc trade and diplomacy, seeing Helsinki hosting important inter-bloc conferences, such as the Conference on Security and Co-operation in Europe, CSCE.[220] Such trust did Finland gain in Moscow that the threatening Porkkala base was returned in 1955, underlining the close relations between the two governments.[221]

However, the process of gradual adaptation and in some cases subjugation to a dominant partner has and is viewed not only positively. Paasikivi's and Kekkonen's policy of appeasement has also been referred to as "Finlandization", or *suomettuminen*, from the German *Finnlandisierung*. Often used pejoratively, it highlights the subjugation rather than the autonomy gained or preserved.[222] In fact, Finland was subject to many restrictions, both hard and soft. Besides the forced neutrality, it was obliged to assist the Soviets in case of western aggression, all the while its armed forces were subject to size and equipment restrictions.[223] Most of the equipment was subsequently sourced from the East, with the notable exception of neutral Sweden, which also heavily influenced the Finnish military doctrine of total defence, akin to the Swedish *Totalförsvaret*.[224] It refused economic aid from the West in the form of the Marshall Plan, fearing Soviet objections. In general, Finnish leadership abstained from commenting on Soviet policy, such as not decrying the Soviet invasion of Afghanistan or its intervention in Hungary and the ČSSR. Kekkonen especially maintained close ties with the Soviet delegation in Finland, which was unusually large, indicative of a large intelligence services presence.

Views on Finlandization have been divisive, with some arguing that it was Finland's way to survive the Cold War, while others argue it is little more than complete subjugation. In fact, the term was coined in West German political discourse, fearing the retreat of the US and a subsequent Finlandization of Europe, a thoroughly negative perspective on the Finnish situation.[225] Finland was seen by the West as an outlier in the grey zone between the blocs, formally neutral but under Eastern influence. Moscow, comfortable with this role, used Finland strategically in diplomacy and trade while maintaining military alignment and control.

Thus, the Republic of Finland presents an interesting case of sovereignty within Cold War dynamics, similar to both German states in its need to accommodate external pressures and expectations, but without integrating into the respective blocs while nation-building. It thus provides a relevant, but distinct, insight into the application of sovereignty during the Cold War. A

[220] Vilén 2015, p. 604.
[221] TIME Magazine 1955.
[222] Uutela 2020, p. 411.
[223] *Treaties of peace with Italy, Bulgaria, Hungary, Roumania, and Finland* 1947, pt. 3.
[224] Wrange, Bengtsson, & Brommesson 2024, p. 518.
[225] Baurkot 2014, p. 521.

major part of this was the adoption of the *YYA Treaty* in 1947, illustrative of many international treaties that sought to form and regulate state sovereignty after the Second World War.

4.2. Sovereignty in international treaties

As the principal and most prestigious form of making and preserving diplomatic decision-making, international treaties have been a cornerstone of international relations. The pomp and circumstance associated with these documents give them inherent legitimacy. This rings especially true for the situation the three case studies of this thesis faced. As virtually all aspects of political life had to be reordered or built back up from nothing, the foundations for this process were laid in international treaties. It is important to remember that both German states, as well as Finland, found themselves in the junior role at the table, having to accommodate significant concessions to be able to defend autonomy and sovereignty. At best, the superpowers were domineering, at worst, dictatorial. Therefore, the documents analysed in the following chapters provide an important perspective on the usage of sovereignty, considering that the superpowers themselves were often the source of a limitation of sovereignty.

4.2.1. The 1954/1955 Paris agreements

The first *Bundestag* convened in the autumn of 1949. As long as the directives of the Allied High Commission were followed, the FRG could act sovereignly in many areas. However, the first federal government had to make many compromises to unlock this initial, tentative potential. A coalition of the Union, the economically liberal FDP,[226] and the national-conservative DP[227] resulted in Konrad Adenauer, CDU, becoming chancellor. His cabinet aimed to bind the FRG closely to the West.

Already during the occupation, Adenauer's Union positioned itself clearly against the Soviets. For Adenauer, a unified, self-governed Germany under USSR pressure and involvement was unacceptable, with Adenauer stating: "The task is not reunification, but liberation. Liberation is our slogan."[228] According to Hildebrand, policy under Adenauer was characterised by anti-communism, Catholic conservatism, Europeanism, the rule of law, capitalism, bourgeois values, as well as mistrust of socialist and nationalist tendencies. The SPD's more conciliatory approach and their sharply left-nationalist politics had been rejected both at home and abroad.[229]

[226] German: „Freie Demokratische Partei."
[227] German: „Deutsche Partei."
[228] Stuby 1987, p. 81.
[229] Hildebrand 1991, p. 22f.

The fear of Soviet aggression, widespread in the first West German government, led it to seek closer ties with the western powers, as Adenauer was convinced that in an atmosphere of Soviet-totalitarian aggression, the existence of a neutral German state was impossible.[230] Germany's integration was to simultaneously counter expansionist socialism and reassure Europe that a friendly, aligned Germany posed no threat.[231]

Germany's geographical location thus no longer placed it at the heart of Europe but along the border of two ideological blocs.[232] The FRG became an elemental component of the Western frontier. The western Allies intentionally shaped it into a political, economic, and military partner, with its strategic location making it essential to western defence strategy.[233] US Secretary of State John Foster Dulles confirmed this rationale: "The Russians and we may disagree on a thousand things, but there is one thing we agree on: We will not allow a reunified, armed Germany to wander around in no man's land between east and west."[234]

Adenauer took advantage of this, being convinced that the fight for freedom and sovereignty depended on European integration. A separate path or a rapprochement with the USSR would undermine these goals.[235] However, he knew that Germany, after the aggression of the Second World War, was considered a "suspicious state."[236] With small, incremental concessions, the trust of the western powers was to be regained. Thus, the Adenauer government participated in international projects such as the Ruhr strategy. Although this meant a loss of sovereignty on paper, it fostered previously lost trust. This was used to promote closer cooperation, aiming for eventual emancipation. Ultimately, a net gain in sovereignty was expected.[237]

The need for compromises became especially clear when discussing military integration. The demilitarisation of Germany had rendered West Germany impotent.[238] The Allies also banned the production of military goods and required their approval for any arms imports or exports.[239] Therefore, West Germany was not capable of mounting a defence against the Socialist Bloc. The former western occupants, sent to pacify the Germans, now functioned as a guarantee of freedom and sovereignty. Reducing occupation forces and providing continued protection from Soviet aggression were therefore mutually exclusive.[240]

The global security situation also deteriorated further as the Soviets successfully tested a nuclear weapon in mid-1949, bolstering their military potential further. Serving as military foothold, West

[230] Hildebrand 1991, p. 8.
[231] Haftendorn 1993, p. 43.
[232] Hildebrand 1991, p. 14.
[233] Stuby 1987, p. 77.
[234] Brandt 1978, p. 84.
[235] Hildebrand 1991, p. 19.
[236] Hildebrand 1991, p. 27.
[237] Hildebrand 1991, p. 32f.
[238] Haftendorn 1993, p. 46.
[239] Sakaki et al. 2020, p. 135.
[240] Haftendorn 1993, p. 51.

Germany developed into the central staging ground for Allied forces in continental Europe.[241] Thus, Bonn increasingly became the "fourth ally" in Europe.[242] The outbreak of the Korean War prompted first calls for a West German military contribution. At this point, the Americans had already resolved to rearm the FRG to contribute to their global struggle against the Soviets.[243]

Only two years after the founding of the FRG, its situation had fundamentally changed. The Soviet atomic bomb, the Korean War, and the beginning of the hunt for communists in the US marked a phase of escalation in the conflict between the blocs.[244] Bonn had proven that it could lead Germany in close cooperation with the West and was willing to contribute, aware that a demilitarised, western-aligned state could not be a sustainable model. Hildebrand speaks of a "disarmed Federal Republic, which without any military forces resembled a protectorate more than a state."[245] According to Adenauer, the Soviet expansionist policy would absorb all such states, leading to subjugation. Only a common western European policy could withstand the concentrated economic, military, and social pressure of the Socialist Bloc.[246] Thus, western integration became synonymous with rearmament.[247]

The western Allies held differing views on rearming their former adversary of two World Wars. The Americans had consistently supported rearmament, with Secretary of State Dulles even arguing that "only with Germany can we create a military power in western Europe strong enough to push back communism."[248] Churchill had initially planned to pacify the warmongering Germans through prosperity. They were to be "fat, but impotent." A flourishing economy was considered a key building block for securing peace in Germany.[249] However, the British had been forced to accept a German defence contribution, necessitated by the Soviet threat in the east. The most vehement opposition came from France, where the trauma of two German invasions persisted. Citing the Potsdam agreements, French representatives withheld consent.

Meanwhile, Bonn had already managed to ease the occupation statute in civilian matters. Negotiations regarding the European Coal and Steel Community, or ECSC, made the active participation of the FRG in international foreign policy possible. In 1951, with the approval of the Allied High Commission, Adenauer was able to assume the post of Foreign Minister in addition to his chancellorship. Shortly before, West German industry had been freed from the production

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[241] Stuby 1987, p. 77.
[242] Haftendorn 1993, p. 43.
[243] Stuby 1987, p. 72.
[244] Haftendorn 1993, p. 50.
[245] German: „entwaffneten Bundesrepublik, die ohne jede Streitkraft eher einem Protektorat als einem Staat glich," Hildebrand 1991, p. 35.
[246] Hildebrand 1991, p. 17f.
[247] Stuby 1987, p. 78.
[248] German: „nur mit Deutschland kann man zu einer Militärmacht in Westeuropa gelangen, die stark genug wäre, den Kommunismus zurückzudrängen," Dulles 1950, p. 229.
[249] Hildebrand 1991, p. 40.

restrictions imposed by the western Allies. Thus, the process of western integration was set in motion.

West Germany's efforts bore results in the following years. At the end of 1951, the French presented the first draft of the so-called *Generalvertrag*, or *General Treaty*, granting Germany enhanced rights in all civilian and political matters. Before this, the western Allies had ended the state of war with the FRG. Internal German disputes over the ratification of the *General Treaty* marked the following years. The issue of Germany as a whole remained a particular source of conflict, as Bonn demanded that Germany be defined within the borders of 1937, although former German eastern territories had been incorporated into the USSR and the socialist Polish state. For strategic reasons, the western Allies could not agree to these demands. Nevertheless, Adenauer did manage to secure the validity of all FRG treaties, even for an eventually reunified Germany. The treaty was thus signed in Bonn on May 26th, 1952.[250]

However, the West German defence contribution was the subject of separate negotiations. Adenauer had not succeeded in bringing West Germany into the wider western alliance network. Instead, the western European nations, including the FRG and Italy, were to form a separate European alliance. The European Defence Community, or EDC, was designed to reconcile Germany's security needs with French concerns. The plan proposed German divisions under supranational command, granting Bonn armed forces, albeit placing them under alliance control. The treaty on the EDC was signed just one day after the *General Treaty* in Paris.[251]

The two treaties provoked strong reactions domestically and abroad, with Adenauer alienating his own cabinet by negotiating individually in his dual role as chancellor and foreign minister. The opposition criticised the cession of the eastern *Länder*, arguing that ratifying postwar borders and rearmament made reunification impossible and pitted Germans against Germans. Opposition leader Schuhmann, SPD, even stated: "Anyone who agrees to this *General Treaty* ceases to be a German."[252] French leaders, still traumatised by the World Wars and faced with waning colonial powers, opposed a rearmed Germany, fearing it would sideline France as a global power. Despite involvement in drafting the treaties, the French National Assembly rejected both the *General Treaty* and the EDC on August 24th, 1954.[253] A frustrated Adenauer lamented "a black day for Europe."[254]

British and American leaders shared this view. The precarious security situation in Germany needed to be resolved as quickly as possible. To that end, nine foreign ministers from the West, including Germany, were invited to the London Nine-Power Conference in October 1954. They reemphasised their commitment to ending the occupation of West Germany.[255] Furthermore, West

[250] Stuby 1987, p. 9.
[251] Haftendorn 1993, p. 52.
[252] German: „Wer diesem Generalvertrag zustimmt, der hört auf, ein Deutscher zu sein," Siegler 1952, p. 3481f.
[253] Haftendorn 1993, p. 52; Hildebrand 1991, p. 35.
[254] German: „Ein schwarzer Tag für Europa," Adenauer 1965, p. 289.
[255] *Final Act of the Nine-Power Conference, London* 1954, art. 1.

Germany was finally to be integrated into a defence alliance. The so-called Brussels Pact had already allied western European nations; now Germany and Italy were to join.[256] A key objective was arms control, with Brussels Pact members overseeing the FRG's remilitarisation. West Germany also renounced atomic, chemical, and biological weapons.[257] With these restrictions, even France accepted the inclusion of Bonn into a western alliance.[258] Once again, it can be observed that a multitude of smaller concessions resulted in an incremental increase in sovereignty.

Just a few weeks later, the future of the FRG was again discussed in Paris. The foreign ministers of the nine powers agreed on a revised version of the *General Treaty*. In this treaty, the FRG was given "full control over its internal and external affairs", making the occupation statute obsolete. West Germany could now regulate its internal affairs independently, and the veto power of the western powers was removed.[259] The obsolete Allied High Commission was dissolved, and diplomatic missions from other countries established relations with West Germany, extending its foreign policy and ensuring direct German participation in international affairs.[260] Furthermore, alliance membership was formalised. The FRG became a member of the Western European Union, WEU, the successor organisation to the Brussels Pact.[261] This additionally paved the way for NATO membership, an important component of security policy stability.[262] This, according to the standards set out for this thesis, constitutes almost full external sovereignty. The eleven treaties signed in Paris can be divided into three groups. Those addressing West Germany's entry into the WEU and NATO, documents confirming the FRG's statehood, and German-French agreements enabling West Germany's alliance contributions. These touched on economic cooperation, armament production, and the Saarland, which remained a French protectorate pending a future referendum.[263]

There are multiple references to sovereignty in these documents. In the *Modified Brussels Treaty* on the WEU, Germany is accepted into the union as an equal member, able to freely and autonomously engage in foreign policy. Here, it also voluntarily signed an agreement to abstain from acquiring biological, chemical, and nuclear weapons and subjected itself to international arms control. This did not impinge on its sovereignty, as these concessions were made voluntarily.[264] The WEU was closely linked to NATO, which the FRG joined after the Paris conference. Germany's accession to NATO required ratification of several sub-treaties, including those on

[256] *Final Act of the Nine-Power Conference, London* 1954, art. 2a.
[257] *Final Act of the Nine-Power Conference, London* 1954, app. 2.
[258] *Final Act of the Nine-Power Conference, London* 1954, art. 4.
[259] *Convention on relations between the Three Powers and the FRG, Paris, 23 October 1954* 1955, art. 1.1.
[260] *Convention on relations between the Three Powers and the FRG, Paris, 23 October 1954* 1955, art. 1.3.
[261] *Brussels Treaty as amended by the Protocol modifying and completing the Brussels Treaty, signed at Paris on October 23, 1954, Texts of the Treaty and the Protocols* 1954, art. 8.
[262] *Protocol to the North Atlantic Treaty of April 4, 1949, on the Accession of the Federal Republic of Germany* 1949, art. 1.
[263] *Vertrag zwischen der Bundesrepublik Deutschland und der Französischen Republik zur Regelung der Saarfrage* 1956, art. 7.
[264] *Brussels Treaty as amended by the Protocol modifying and completing the Brussels Treaty, signed at Paris on October 23, 1954, Texts of the Treaty and the Protocols* 1954, app. 1.

foreign troop stationing. A key condition was Bonn's ratification of Article Two of the *UN Charter*, affirming primacy of defence, non-violence, and a diplomatic resolution to the German question.[265] Furthermore, the western powers proclaimed that they "consider the Government of the Federal Republic as the only German government freely and legitimately constituted and therefore entitled to speak for Germany as the representative of the German people in international affairs."[266] This rendered the GDR illegitimate from a Western perspective, framing East Germany as *de facto* occupied West German territory. While this affirmed the FRG's claim to eastern Germany, the lack of actual control of the territory posed a challenge to the sovereignty inherent in that claim. Furthermore, the nature of the stationing of foreign troops on German soil was also formalised, a topic of considerable interest, examined with in detail below.

However, the most important parts of the Paris Agreements remain the documents on the status of the German state, an evolution of the *General Treaty*. After announcing the end of the occupation of Germany and its institutions, the second article of the *Amendments to the Conventions on Relations between the Three Powers and the Federal Republic of Germany* forms the centrepiece of the entire consultations in Paris: "The Federal Republic shall have accordingly the full authority of a sovereign State over its internal and external affairs."[267] This explicit commitment to sovereignty elevated West German diplomatic abilities and prestige, finalising Adenauer's efforts to lead Germany back to sovereignty. It is important to understand that the sovereignty mentioned and referred to in these documents is sovereignty in the legal sense, pertaining to the *pro forma* rights and responsibilities of a state, highlighted by the heavy emphasis on international relations and integration into international alliances. West Germany was merely allowed to ascend to sovereignty in the context of Western international relations, which constitutes a considerable improvement. In other contexts, however, its sovereignty remained deeply challenged, regardless of the guarantee of "the full authority of a sovereign state."

The western powers retained some prerogatives. The resolution of the question of Germany as a whole remained with all Allies, including the USSR. Only the Control Council could decide on the reunification of Germany. Furthermore, the cessation of the former German territories to Poland and the Soviet Union had been *de facto* finalised, and the status of West Berlin in the heart of the Soviet zone remained a military concern, as the GDR had firmly established itself by late 1954. The western powers decided to maintain military control Berlin, with only the civil administration of the western Sectors being aligned with the West German model. West Berlin remained an outlier, with even the local police constituting an entity *de jure* independent from the FRG and West Berliners being exempt from conscription as well as carrying special identification

[265] *Protocol to the North Atlantic Treaty on the Accession of the Federal Republic of Germany* 1954, pt. preamble.
[266] *Resolution of Association by other Parties to the North Atlantic Treaty* 1954, app. B1.
[267] *Amendments to the Conventions on Relations between the Three Powers and the Federal Republic of Germany* 1954, art. 2.2.

documents.[268] Until emergency powers were introduced into the *Grundgesetz* in 1968, the western powers also retained the responsibility for maintaining order in the event of an emergency, even intervention.[269] However, the most contentious issue of sovereignty remained the western powers' right to station military forces on German territory at will. These Allied reservations would have a lasting impact on the legal and military development of the FRG.[270]

Despite everything, the agreements reached in Paris marked a monumental increase in sovereignty for the FRG. The so-called *Paris Treaties* were ratified by all signatories on May 15th, 1955, placing West Germany on a completely new legal footing. The occupation had ended and been replaced by German legislation, leading to full inner sovereignty. Relations with other states could now be built directly, and the West's recognition of the FRG as the only legitimate German state enabled it to establish relations at their own prerogative. It was now expected and able to actively participate in its military defence. However, the eastern borders of the FRG were now more rigid than ever, with reunification remaining virtually impossible due to the tense military situation and reservations of the western Allies.

But on the other side of the border, the USSR had equally cemented the bipolar order of Germany. Just as the western powers had made the FRG a firm ally within their system, the Soviets were pursuing a similar arrangement in Eastern Germany.

4.2.2. The 1955 Treaty on Relations between the USSR and the GDR

In the single-party GDR, there was no possibility of a democratically elected government choosing to either integrate or isolate, as the socialist regime was firmly aligned with Moscow and followed the Soviet line. However, Berlin was quick to seek international recognition, signing treaties on matters such as the German-Polish border[271] or joining the Council for Mutual Economic Assistance, abbreviated Comecon, an economic umbrella organisation for the Eastern Bloc.[272]

Initially, it was eager to maintain good relations with Bonn. Prime Minister Grotewohl proposed a pan-German council, only to be rejected immediately by Adenauer, who insisted on exclusively dealing with democratically elected officials. Adenauer's rejection of the *Stalin Note*, proposing a neutral, reunited Germany, is an example.[273] In general, Bonn was unyieldingly undermining any East German attempt to reach recognition in the West, adopting the so-called Hallstein doctrine, boycotting firms that engaged in business with the GDR, and not attending sporting events with East German presence. This served to strengthen Bonn's role as the sole legitimate government in

[268] *Final Act of the Nine-Power Conference, London* 1954, art. 2.
[269] *Siebzehntes Gesetz zur Ergänzung des Grundgesetzes* 1968.
[270] *Convention on relations between the Three Powers and the FRG, Paris, 23 October 1954* 1955, arts. 4–5.
[271] *Abkommen zwischen der Deutschen Demokratischen Republik und der Republik Polen über die Markierung der festgelegten und bestehenden deutsch-polnischen Staatsgrenze* 1950.
[272] Klein 2018, p. 314f.
[273] Stalin 1952.

Germany, even cutting ties with other countries when they established diplomatic relations with East Germany.[274]

As these measures turned out to be quite successful and West Germany gradually integrated into Western structures, the GDR and its guides in Moscow reinforced the efforts to integrate the GDR into the East. After the diplomatic successes of the FRG in London and Paris in 1954, the USSR felt pressured to enhance the GDR's diplomatic status. In a *Declaration by the Government of the USSR on the Granting of Sovereignty to the German Democratic Republic*, the Soviets unilaterally elevated the competencies of the GDR government.[275] Citing their wish for reunification and balance in Germany, the Soviets officially inactivated the role of their High Commissioner in internal matters. It heavily criticised the contemporary Western efforts to separate the two Germanies and their occupation statute. However, the significant part of this declaration remains the first article:

> The Soviet Union embarks on diplomatic relations with the German Democratic Republic as with other sovereign states. The German Democratic Republic will possess the freedom to decide on its inner and external affairs, including the relations to West Germany.[276]

With this, the Soviet Union declared that it viewed the GDR as an equal and committed itself to respecting the GDR's laws and decisions. It is of special relevance that this is a unilateral declaration, not a treaty, and that it was published in March 1954, seven months before the signing of the *Paris Accords*. Thereby, the USSR appeared to voluntarily pass their special competencies to Berlin, facilitating East Germany's transition into sovereignty without a tedious legal and diplomatic process, strengthening the legitimacy of the SED government. However, this served to achieve its political goal, continued control over East Germany without exerting overt pressure. Knowing well that a socialist one-party state could only survive with copious support from the USSR, especially considering the crushed uprising in 1953, Moscow knew that a continued military presence and sweeping control over the fledgling GDR were virtually guaranteed. Thus, the unilateral declaration of sovereignty may have elevated the sovereignty of East Germany *pro forma*; *de facto,* it remained in a subjugated, dependent role.

The signing of the *Paris Treaties* and the formation of the WEU further escalated the situation, prompting the GDR to ratify two new treaties in 1955. Explicitly referring to the *Paris Treaties* in the preamble, the 1955 *Treaty on Relations between the USSR and the GDR* reconfirmed the unilateral declaration of East German sovereignty and made it the subject of a bilateral treaty, thereby highlighting the GDR's involvement as an equal state. Sovereignty is a central point of the treaty,

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[274] Gray 2003, p. 5f.

[275] *Erklärung der Regierung der UdSSR über die Gewährung der Souveränität an die Deutsche Demokratische Republik* 1954, pt. preamble.

[276] German: "Die Sowjetunion nimmt mit der Deutschen Demokratischen Republik die gleichen Beziehungen auf wie mit anderen souveränen Staaten. Die Deutsche Demokratische Republik wird die Freiheit besitzen, nach eigenem Ermessen über ihre inneren und äußeren Angelegenheiten einschließlich der Frage der Beziehungen zu Westdeutschland zu entscheiden," *Erklärung der Regierung der UdSSR über die Gewährung der Souveränität an die Deutsche Demokratische Republik* 1954, art. 1.

closely connected to the terms of equality and freedom of decision. While Article One of the unilateral declaration is repeated almost verbatim, the preamble stands out. Citing the change in geopolitics after West German integration, the signing parties maintain they were

> Guided by the desire to develop close cooperation and to further strengthen friendly relations between the German Democratic Republic and the Union of Soviet Socialist Republics based on equality, mutual respect for sovereignty and non-interference in internal affairs.[277]

This very explicit commitment to mutually respecting each other's sovereignty was aimed directly at the western Allies and the FRG. Purely reactionary, it sought to emphasise that the relations between the USSR and GDR were not in question and had to be sorted via a lengthy process of conferences and multiple treaties, like in the West; it was a matter of socialist brotherhood and benevolent support. East Germany's accession to the Warsaw Pact, the East's counterpart to NATO and the WEU, followed a similar pattern. Framed as a response to Western alliances, the *Treaty of Friendship, Cooperation, and Mutual Assistance* reaffirmed the signatories' commitment to sovereignty, independence, and non-intervention.[278] Especially interesting in this document is the emphasis on this treaty's compliance with the *Charter of the UN*, citing its principle of non-aggression as the leading motive. Such a commitment legitimises each signing nation's claim to sovereignty and thus elevates the GDR onto the level of each co-signatory.

Thus, by 1955, the GDR had, *pro forma*, attained equal sovereignty and diplomatic capacity as the FRG, including integration into the counterpart military alliances. However, as in the west, there remained significant challenges to sovereignty. While the GDR had never formulated the claim to be the rightful government for the entirety of Germany, indeed, the USSR still *pro forma* adhered to the Potsdam mandate, clearly, they considered West Germany to be ruled by an illegitimate and hostile government, supported by an adversary ideological bloc. This, of course, constitutes a significant challenge to sovereignty. Also, significant numbers of Soviet troops remained on East German soil. While the *Treaty on Relations* formalised their presence and the Soviets committed themselves to non-intervention, they still represented both a guarantee as well as a threat to the government in Berlin.

Their presence presents a telling picture of Socialist Bloc relations. On the one hand, as detailed above, the SED regime was not stable and popular enough to stay in power without significant support from Moscow. Soviet troops served as a guarantee for military enforcement of order in case of a further uprising. On the other hand, the socialist economic and political system would make current government officials and administrators redundant in the event of reunification and

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[277] German: „geleitet von dem Wunsch nach Entwicklung einer engen Zusammenarbeit und nach der weiteren Festigung der freundschaftlichen Beziehungen zwischen der Deutschen Demokratischen Republik und der Union der Sozialistischen Sowjetrepubliken auf der Grundlage der Gleichberechtigung, der gegenseitigen Achtung der Souveränität und der Nichteinmischung in die inneren Angelegenheiten," *Vertrag über die Beziehungen zwischen der Deutschen Demokratischen Republik und der Union der Sozialistischen Sowjetrepubliken* 1955, pt. preamble.
[278] *Treaty of Friendship, Co-operation and Mutual Assistance* 1955.

the ensuing return to free-market capitalism, thus making any reform undesirable. This left the Eastern Bloc as the GDR's only remaining partner.[279] Thus, Moscow's reach into East Germany grew ever stronger. As the government in each eastern state aligned itself with the Soviet political line, it alienated itself from any state that would render assistance should they choose to resist this very line. This is evident in the failed uprisings in the ČSSR and Hungary. In East Germany, with a significant presence of Soviet troops, the situation was even clearer. Furthermore, it had gotten so reliant on the USSR that no political leader could afford to wish for any reform, as it would coincide with their personal social decline.

Thus, it can be said that while the declarations and treaties of 1954 and 1955 very explicitly grant and guarantee the GDR's sovereignty, there are some significant caveats. The full integration of its external politics into international organisations, be it the Comecon or the Warsaw Pact, elevated it to a country of equal status within the Eastern Bloc, which, however, was dominated by the USSR itself. In domestic politics, the GDR was free to decide and pass any laws without foreign interference. However, as detailed above, the Soviet Union did not have to interfere because it had created a system of near-total dependence, making it highly unlikely that Berlin would pass legislation opposing its will. Thus, while it might have been granted full sovereignty, East Germany remained under significant Soviet pressure, presenting a significant challenge to its sovereignty. This was recognised by many contemporaries, with a US Operations Coordinating Board report stating: "Artificial though it is, the Soviet declaration of GDR 'sovereignty' constitutes a tactical device which the USSR seems prepared to use […]."[280]

4.2.3. The 1948 Agreement of Friendship, Cooperation, and Mutual Assistance

In Finland, a similar, but in its central aspects completely different, situation presented itself. With most of its densely populated regions, especially the south, being in immediate proximity to Soviet combat detachments, the government in Helsinki had to rely on extremely cautious diplomatic manoeuvring and policies to ensure its status as a free country. Since it, in contrast to the GDR, had a democratic system in place, Finland faced a different challenge in preserving, not gaining, sovereignty. Having averted a socialist majority in parliament in the 1948 election, Finland had demonstrated that political change was possible without triggering an immediate Soviet response. However, it is important to highlight the extreme caution the leading political figures in Finland exercised when dealing with contentious topics that touched upon the USSR's sphere of interest.

During the Cold War, the government in Helsinki was characterised by remarkable stability, with only two men being president of Finland from 1946 to 1982, the above-mentioned Paasikivi

[279] Berend 1996, p. 192.
[280] Operations Coordinating Board 1956, art. 8.

and Kekkonen. It is thus no surprise that the Paasikivi-Kekkonen doctrine became the defining Finnish diplomatic policy during their tenure, leading to widespread subordination to Soviet needs, a process being derided as Finlandization abroad. One mainstay of the relations between Finland and the USSR during the Cold War, besides the permanence of elected officials in Finland, was the basic document that regulated the relations between the two countries and Finland's international orientation, the 1948 *Agreement of Friendship, Cooperation, and Mutual Assistance*.[281]

Signed during the brief period of socialist dominance in the Finnish parliament, the treaty intended to keep Finland aligned with Soviet interests, eventually preparing it for closer ties should the socialists consolidate their power. Citing "Finland's desire to remain outside the conflicting interests of the Great Powers", the treaty aimed to remove Finland from the arena of international diplomacy that sought to integrate neutral countries into the two power blocs.[282] During the late 1940s, both Western as well as Eastern programmes tried to incentivise neutral countries to join the respective blocs. While the Eastern Bloc, where the presence of the Red Army constituted an incentive great enough to ensure loyalty or at least compliance, was slow to roll out any soft programmes, the West, under the unquestioned leadership of the US, started a programme of unprecedented magnitude. The Marshall Plan tied virtually the entirety of western Europe closely to the US-led bloc, as vast sums and industrial help flowed from American production surplus, rebuilding the war-torn European states and integrating them economically into an international free market system. Political and, consequently, military ties were soon to follow. As this was unacceptable for Moscow and their socialist allies in Helsinki, Finland declined Marshall aid in 1947, instead embarking on protectionist policies that lasted until the 1950s.[283]

While it is important to highlight that Finland never isolated itself, being an active part of the UN and other organisations such as the Nordic Council, the *YYA Treaty* limited its potential for international outreach. By obligating itself to assist the USSR against any German, meaning NATO in Soviet thought, attack through its territory, Finland was forced into an ambiguous situation. Paradoxically it was to remain neutral, as expressed in the commitment "to remain outside the conflicting interests of the Great Powers" in the preamble, but above all in Article Four: "The High Contracting Parties confirm their pledge […] not to conclude any alliance or join any coalition directed against the other High Contracting Party."[284] This automatically excluded Finland from joining any Western alliance, forcing it to remain neutral. However, strong ties with the Soviet Union, as stated in this very treaty, bound Finland close to the USSR.

However, the socialist political takeover expected by Moscow, which was to be accelerated with the *YYA Treaty*, never materialised, and the guarantees given by the Soviets now applied to the

[281] *The Agreement of Friendship, Coöperation, and Mutual Assistance* 1948.
[282] *The Agreement of Friendship, Coöperation, and Mutual Assistance* 1948, pt. preamble.
[283] Jakobson 1998, p. 54.
[284] *The Agreement of Friendship, Coöperation, and Mutual Assistance* 1948, art. 4.

centre-dominated government in Helsinki. This led to an entirely new situation. Besides the commitments to neutrality and the obligation to defend its eastern neighbour, Finland had received something itself. Assuming that a friendly, if not a puppet regime, would gain control, the USSR had included a pledge "to observe the principle of the mutual respect of sovereignty and integrity and that of non-interference in the internal affairs of the other state."[285] Akin to the guarantees made to the GDR, Moscow had assumed that it never needed to interfere since the other government was already so firmly aligned, and all pledges to defend sovereignty were thus a defence of a firmly allied and servile state. However, the case of post-1948 Finland presented a hybrid situation, where Finland was a sovereign, democratic state with a significant degree of autonomy, but was not hostile to the USSR. In practice, it functioned as an allied state with formal agreements on mutual assistance. While the government was neither fully subordinate nor particularly friendly, it was willing to cooperate and accommodate Moscow's political interests. However, there was always a risk of a policy shift if a different government came to power. Thus, Finland remained in the grey zone between allied, neutral, or unreliable, making it a suspicious state on the periphery of the Soviet sphere of interest, necessitating the cautious diplomatic manoeuvring of the Paasikivi-Kekkonen era.

The *YYA Treaty* was to remain the foundation of all Finno-Soviet relations during the Cold War, being renewed every ten years, an occasion officially celebrated in Finland.[286] The level of autonomy and sovereignty granted by the treaty allowed the Nordic nation to pursue its own path in the Cold War, balancing close political, economic, and military ties with the USSR on one hand, and extensive economic relations with the free market in the West as well as political integration into the Nordics on the other.

As for sovereignty, the *YYA Treaty* only marginally inhibits Finland. It remained free to conduct business with virtually any partner of their choosing, free elections were held during the entirety of the Cold War, and diplomatic relations were established with nations and organisations from all over the world. The establishment of Helsinki as a major place of inter-bloc diplomacy is evidence of that.[287] The biggest incursion into Finnish sovereignty in the treaty is the commitment to abstain from entering alliances and contracts that were perceived to target the Soviet Union, which entailed virtually all Western treaties. This is why in this thesis, Finland's neutrality during the Cold War is referred to as "enforced neutrality", as the governments after 1948 still had to respect the socialist concessions to the USSR. Thus, it can be argued that the *YYA Treaty* granted Finland significant guarantees of sovereignty and enabled it to rely on stable relations with the USSR, even as it pursued ties beyond the Eastern Bloc, albeit with the important caveat that it was compelled to abstain from forming alliances with Western powers.

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[285] *The Agreement of Friendship, Coöperation, and Mutual Assistance* 1948, art. 6.
[286] Posti 1973.
[287] Vilén 2015, p. 604.

4.3. Sovereignty in legal text

As the 1950s passed, all states highlighted in this thesis had begun to consolidate their standing in the international diplomatic arena and had reinstated a law-based, stable, and autonomous domestic process of policy making. The possibility of intervention and the pressures exerted by the domineering superpowers, however, remained an issue for their sovereignty, as detailed above. Thus, these new, or in the case of Finland, reorientated states tried to remedy the biggest issues with national legislation, which was to be applied unilaterally, albeit with significant cooperation with the superpowers, which in many cases still served as the guarantor of independent statehood.

Legal text originating from these countries is an important part of this thesis, since it allows insights into the thought and decision-making process of one state individually, nominally without the influence and participation of another. Most laws and regulations enacted are too niche and insignificant for any other state to take notice, so they are passed without any foreign influence, such as building codes or laws on the prevention of public drunkenness. These are not relevant for this thesis. However, those domestic laws which do touch upon the domineering superpowers' interests are very much subject to foreign pressures and become relevant. In each case, there were contentious issues whose mediation presented a considerable challenge to sovereignty.

In both West and East Germany, the ongoing presence of millions of foreign troops presented a difficult task for the respective governments to organise their stationing, enforcing their domestic law without breaching the international treaties discussed above. Alliance membership and remnants from post-war occupation gave some framework; however, in the 1960s, the status of foreign troops had to be put on a sound legal foundation. In Finland, where no foreign troops were stationed, another issue arose, as the USSR's political presence remained omnipresent. To ensure calm relations with Moscow, Finland embarked on a programme to regulate, control, and, for lack of better words, censor media critical of the Soviets. The analysis of this aspect of the Paasikivi-Kekkonen doctrine will conclude this chapter by examining Finnish censorship policy.

4.3.1. The Supplement to the NATO Status of Forces Agreement in Germany

Since the FRG had formally received sovereign rights with the *Paris Agreements*, the presence of foreign troops on its soil, remnants of occupation and allied forces, had to be formalised. Within NATO, member states can invite foreign troops to their territory to serve as a protective force or to conduct joint military manoeuvres. Any troop movement, whether for transit or permanent stationing, must be decided bilaterally and carried out per regulations.[288] The NATO founding

[288] Example of such an agreement, *Joint Declaration on EU-NATO Cooperation by the President of the European Council, the President of the European Commission, and the Secretary General of the North Atlantic Treaty Organization* 2018, art. 6.

members had already regulated the terms for the stay of foreign troops on the territory of another member state in 1951. The NATO *Status of Forces Agreement*, *SOFA*, defines the rights and obligations of the host country as well as those of the foreign troops stationed there.[289] In addition to everyday regulations, such as the requirement for foreign personnel to carry identification documents,[290] more complex issues were also regulated. For example, provisions were established for jurisdiction in the event of crimes committed by foreign troops in the host country[291] or compensation payments in the event of property damage during military manoeuvres.[292]

In the FRG, however, these regulations could not be applied like in other countries. The circumstances under which foreign troops arrived on its territory were not covered within the NATO alliance framework. The troops of the western powers were the direct successors of the wartime and occupation forces. Even after the FRG's founding, the western Allies reserved the right to send troops to West Germany at their discretion. Their right to station their forces, known as the *ius ad praesentia*, was contractually regulated by the *Frankfurt Documents*. Despite the transfer of "full authority of a sovereign State over its internal and external affairs"[293] to Bonn, the western victorious powers retained the right to station armed forces. Article Four of the treaty states: "The Three Powers retain the rights, heretofore exercised or held by them, relating to the stationing of armed forces in the Federal Republic."[294] Unlike other NATO members, West Germany could therefore not oppose the stationing of the troops of the western victorious powers. Thus, the *ius ad praesentia* lay unilaterally with each western Ally.

Therefore, the FRG could not change the fact that deployment of foreign troops to its territory could be decided without its consent. However, it could influence the terms of their stay. On May 5th, 1955, the occupation of West Germany by Allied troops concluded with the ratification of the *Paris Agreements*.[295] The remaining foreign military units in West Germany thus operated without a contractual basis on federal territory. For both the western powers and the FRG, this created the need to formalise the stay of these troops multilaterally. With the so-called *Schutzbereichgesetz*, or *Protection Area Act*, the FRG established the legal foundation for military exclusion zones in 1956, where the foreign detachments were stationed, including highly militarised bases.[296] Notably, the federal government also obligated itself to pay all compensation for damages caused by the foreign troops.[297] Thus, the FRG acted as the host country, legally and financially assuming the responsibility for the accommodation and protection of the foreign detachments. With West

[289] *Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces* 1951.
[290] *Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces* 1951, art. 3.
[291] *Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces* 1951, art. 7.
[292] *Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces* 1951, art. 8.
[293] *Amendments to the Conventions on Relations between the Three Powers and the Federal Republic of Germany* 1954, art. 1.2.
[294] *Amendments to the Conventions on Relations between the Three Powers and the Federal Republic of Germany* 1954, art. 4.
[295] *Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany* 1954, art. 1.
[296] *Gesetz über die Beschränkung von Grundeigentum für die militärische Verteidigung (Schutzbereichgesetz)* 1956, art. 1.
[297] *Gesetz über die Beschränkung von Grundeigentum für die militärische Verteidigung (Schutzbereichgesetz)* 1956, art. 16.

Germany's entry into NATO, the personnel of the occupying powers fell under *SOFA* jurisdiction.[298]

However, the ratification of the *SOFA* dragged on until 1961. The special *ius ad praesentia* of the former western powers required, in turn, a special regulation of *ius in praesentia*, the rules applicable to foreign troops during their stay in a host country. For this purpose, the FRG proposed a specifically German addendum to the *SOFA* concerning relations with the victorious powers.[299] After a decade of military occupation, the troops of the former victorious powers in West Germany had not only established a stationed military presence but had also influenced the region culturally and economically. The addendum contained extensive regulations of civilian aspects of military life in Germany, including rules for driver's licences and flight permits, customs and tax matters, and special provisions for criminal prosecution of NATO troops in West Germany.[300] The need for such extensive regulation arose from the prolonged stay of foreign soldiers in Germany, some of whom became FRG residents after years of service in Germany. Culturally, the foreign military units influenced German civilian life with their radio programmes and later television stations.[301] The operation of these was expressly permitted by the additional agreement, with garrison towns soon becoming a hotspot for commerce and nightlife, as guests and hosts engaged in both commercial and romantic activities.

The role of West Germany as a potential site for a military first strike also made extensive military manoeuvres necessary. The exercises, intended to guarantee a successful defence of federal territories and serving as a deterring signal to the East, frequently spilt over outside military exclusion zones.[302] Thus, troops and machinery from all NATO countries quickly became a familiar sight in West Germany. The addendum specifically regulated the modalities of compensation payments to the civilian population, should damages result from military exercises or during the transfer of units.[303]

The sovereignty of the FRG is limited by these regulations, albeit not violated. The inability to oppose the stationing of foreign troops and the fact that they were sent to West Germany resemble an external intervention. However, the Adenauer government voluntarily signed the *Paris Agreements*, reiterating the *ius ad praesentia* of the victorious powers as it was formalised after the war. The strategic pressure of an aggressively acting USSR, not the political pressure or threats of the

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[298] Raap 1992, p. 204f.
[299] *Bekanntmachung über das Inkrafttreten des Abkommens zwischen den Parteien des Nordatlantikvertrags über die Rechtsstellung ihrer Truppen (NATO-Truppenstatut) und der Zusatzvereinbarungen zu diesem Abkommen* 1963.
[300] *Zusatzabkommen zu dem Abkommen zwischen den Parteien des Nordatlantikvertrages über die Rechtsstellung ihrer Truppen hinsichtlich der in der Bundesrepublik Deutschland stationierten ausländischen Truppen* 1959, arts. 9; 18–39; 59; 68.
[301] *Zusatzabkommen zu dem Abkommen zwischen den Parteien des Nordatlantikvertrages über die Rechtsstellung ihrer Truppen hinsichtlich der in der Bundesrepublik Deutschland stationierten ausländischen Truppen* 1959, art. 60.
[302] *Zusatzabkommen zu dem Abkommen zwischen den Parteien des Nordatlantikvertrages über die Rechtsstellung ihrer Truppen hinsichtlich der in der Bundesrepublik Deutschland stationierten ausländischen Truppen* 1959, art. 41.
[303] *Zusatzabkommen zu dem Abkommen zwischen den Parteien des Nordatlantikvertrages über die Rechtsstellung ihrer Truppen hinsichtlich der in der Bundesrepublik Deutschland stationierten ausländischen Truppen* 1959, p. 46.

western powers, was decisive in Bonn's decision to allow and, in fact, invite foreign detachments to Germany. The West German leadership used the sovereignty gained in the *Paris Agreements* to formalise relations and the stationing of troops on their terms, which did not lead to any loss of sovereignty.[304] In fact, it arranged the stay of these foreign troops according to its needs with a unilaterally modified *ius in praesentia*, which they had to comply with. While the ratification of the *SOFA* by NATO members is evidence of an international bi- or multilateral regulation of the stationing of troops abroad, the FRG succeeded in enforcing its specific needs with sovereign rights through the unilateral passing of the addendum. This not only highlights the need to regulate the high level of international cooperation to counter the perceived Soviet threat, but also the FRG's principle to establish national guidelines as symbols of the exercise of sovereign rights. While it proved its value as an ally in hosting allied troops, it established its sovereignty by drawing clear lines for their *ius in praesentia* at the same time.

Thus, the transition of western forces from invading occupiers to hosted allies highlights the shift of Western attitudes to the Federal Republic. In the 1960s, the FRG increasingly became an important military partner within NATO and the WEU. The growing *Bundeswehr* and the prosperous West German civil society took on more and more responsibility, increasingly acting in partnership with their allies. By the mid-1960s, West Germany had emancipated itself militarily, economically, and culturally from the occupation and restraints of the post-war era and finally stood as an equal partner on the easternmost flank of the Western Bloc. The biggest remaining issue was its German sibling, by now entrenched behind a border wall.

4.3.2. The Treaty on the temporary stationing of Soviet troops in the GDR

In the east, the GDR found itself in an entirely different situation. Instead of seeking to emancipate itself from its former occupant, the USSR, it sought to tie itself closer to it, seeking shelter in the domestic security that Soviet forces could provide. The newly established *Nationale Volksarmee*, NVA, was closely integrated into the Soviet command structure and had not yet reached the capabilities to ensure military-enforced stability in the case of yet another insurrection. Thus, it was clear that the SED government in Berlin not only wanted Soviet troops to remain but needed them to ensure its survival. While the East German leadership focused heavily on the domestic threat, for Moscow, the external threat constituted a far greater danger. The massed forces of its former allies in western Europe, particularly in West Germany, and the experiences made during the surprise invasion of Nazi forces in 1941, caused significant paranoia amongst Soviet military leadership which expected a Western invasion any minute. This was further exaggerated by the

[304] Raap 1992, p. 179f.

formation of the *Bundeswehr*, prompting the USSR to maintain significant detachments in East Germany as a bulwark protecting the Soviet proper, using NVA assets to bolster its capabilities.

However, as the Soviet Union had rushed to grant the GDR sovereignty earlier in the 1950s and integration into the Warsaw Pact was a done deal, the Soviet forces in Germany had to be put on a new legal footing, similar to the process in the FRG. Thus, in 1957, the two states signed the *Treaty on questions regarding the temporary stationing of Soviet troops in the GDR*.[305] While the entry of the GDR into the Warsaw Pact is an analogue to the FRG entering NATO and the WEU, the western Allies were granted a separate right to station troops within West Germany without Bonn's ability to veto. Crucially, this right was never temporarily restricted and was only to end with the signing of a new treaty dissolving this contract. The Soviets, however, cited this fact and the rearmament of the FRG, deriding it as militarism, to legitimise the continued presence of its forces in East Germany. In the treaty, it declared this presence to be a temporary solution, officially intending it to end should de-escalation and a reunification of Germany materialise. However, the antagonism between East and West and the significant ideological differences made this "temporary" virtually permanent, a fact that the USSR was fully aware of. Furthermore, the treaty stipulated that: "the sovereignty of the GDR is not compromised by the temporary stationing of Soviet forces on its territory;"[306] thus, any intervention by Soviet troops into the domestic and social affairs of the GDR was disallowed. This claim remains doubtful, considering the interwoven relations of Moscow and Berlin, as well as the social significance of a foreign force that made up between three and five per cent of the entire population at any time. Thereby, the treaty established a new *ius ad praesentia* for Soviet forces in Germany, with the USSR being free to station troops at its will on GDR soil.

The treaty also bilaterally regulated some aspects of the *ius in praesentia*, such as the cooperation between East German and Soviet law authorities and matters of compensation. A noticeable red line in the treaty is the emphasis on the application of East German law to foreign military personnel and attached individuals. In virtually all cases of crimes committed both by and against members of the Soviet forces, the court proceedings are to be held in the GDR and conducted by East German authorities, while the Soviet authorities are obligated to assist in all matters, retaining the right of document insight and access to the accused.[307] For matters that necessitate joint decisions, a mixed commission was established. It mostly facilitated bigger projects involving multiple agencies and contractors, such as building airfields and bases. Again, this contractually

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[305] *Abkommen zwischen der Regierung der Deutschen Demokratischen Republik und der Regierung der Union der Sozialistischen Sowjetrepubliken über Fragen, die mit der zeitweiligen Stationierung sowjetischer Streitkräfte auf der Territorium der Deutschen Demokratischen Republik zusammenhängen* 1957.

[306] German: „Die Souveränität der Deutschen Demokratischen Republik wird durch die zeitweilige Stationierung sowjetischer Streitkräfte auf ihrem Territorium nicht beeinträchtigt," *Abkommen zwischen der Regierung der Deutschen Demokratischen Republik und der Regierung der Union der Sozialistischen Sowjetrepubliken über Fragen, die mit der zeitweiligen Stationierung sowjetischer Streitkräfte auf der Territorium der Deutschen Demokratischen Republik zusammenhängen* 1957, art. 1.

[307] *Abkommen zwischen der Regierung der Deutschen Demokratischen Republik und der Regierung der Union der Sozialistischen Sowjetrepubliken über Fragen, die mit der zeitweiligen Stationierung sowjetischer Streitkräfte auf der Territorium der Deutschen Demokratischen Republik zusammenhängen* 1957, arts. 5–9.

guaranteed influence was only granted by the Soviets to Berlin in the full knowledge that the SED government's interests were congruent with Moscow's interests. Therefore, any East German autonomy was a façade, since it would never be used to oppose the will of the USSR.

Especially in comparison with similar treaties between the USSR and other members of the Eastern Bloc, such as Poland or the ČSSR, it becomes clear that while the GDR was nominally an equal state, special restrictions were reserved for the former aggressor. There are no limitations for the actual number of troops deployed to East Germany, and those stationed there were free to use the immediate surroundings of their garrison,[308] all the while Article 18 of the treaty reserved the Soviet commander the right to "enact measures to eliminate any situation […] that threatens the Soviet forces in Germany."[309] This directly contradicts the provisions of Article One of the same treaty, as in theory, even an ousting of the GDR government would be possible under the provisions of Article 18.[310] These special restrictions are evidence of East German subjugation, complementing its integration into the Soviet Bloc. The NVAs subordination and positioning at the side of Soviet forces, fully integrated into its command structure to a degree that they were considered "twin" detachments, is, according to the analyst Robert W. Dean, evidence of the GDR's role being "fully responsive to Soviet interests". Furthermore, it is exemplary of the East German leadership's motivation to prevent at whatever cost a Soviet sellout of the GDR, "ensuring its survival through subordination."[311]

This subordination to the Soviets remained implicit but tangible. While the *Treaty on the Temporary Stationing* was supplemented by further contracts,[312] the fact remained that the GDR seldomly used its rights and the Soviets rarely prosecuted any violations, since East German authorities had to rely on Soviet law enforcement to report any crimes, which rarely happened. [313] In fact, the impotence of the GDR to enforce even bilateral rights made the passing of unilateral legislation to modify the *ius in praesentia* highly unlikely. This, however, was a pressing issue. The "friends" from the Group of Soviet Forces in Germany accounted for a prominent fraction of all crimes committed in the GDR. While it is expected to find some criminals amongst a group as big as the Soviet army, the numbers were staggering, as between 1976 and 1989, 27.505 crimes were committed by members of the Soviet forces, according to the East German security service, the infamous *Stasi*.[314] These crimes included theft, arson, murder, and most prominently rape, mass

[308] Johnson, Dean, & Alexiev 1980, p. 82.
[309] *Abkommen zwischen der Regierung der Deutschen Demokratischen Republik und der Regierung der Union der Sozialistischen Sowjetrepubliken über Fragen, die mit der zeitweiligen Stationierung sowjetischer Streitkräfte auf der Territorium der Deutschen Demokratischen Republik zusammenhängen* 1957, art. 18.
[310] Kowalczuk & Wolle 2010, p. 109.
[311] Johnson et al. 1980, p. 116.
[312] *Verordnung über das Abkommen zwischen der Regierung der Deutschen Demokratischen Republik und der Regierung der Union der Sozialistischen Sowjetrepubliken über gegenseitige Rechtshilfe in Angelegenheiten, die mit der zeitweiligen Stationierung sowjetischer Streitkräfte auf dem Territorium der Deutschen Demokratischen Republik zusammenhängen* 1957.
[313] Kowalczuk & Wolle 2010, p. 109.
[314] Koop 1996, p. 245.

shootings, and deadly traffic accidents. The latter became so prevalent that even amongst the suppressed East German civil society protests erupted.[315] Additional damage was done to East German property when practice shootings resulted in collateral damage and killings, when unexploded ordnance led to human losses, when manoeuvres tore up the already strained infrastructure, and most prominently, refuse and discarded, highly toxic matériel was dumped in the environment and contaminated nature and drinking water. The effects of this practice are still felt today.[316]

In theory, the 1957 treaty mandated the USSR to transfer all perpetrators to the GDR authorities for German law to be applied. Also, the damages to GDR property were to be compensated for in a timely manner, while bigger projects concerning military infrastructure and the handling of their refuse were to be jointly planned and administered. However, the GDR rarely invoked its rights and seldom insisted on the contractual obligations of the USSR. In fact, the first inquiry into the crime of a Soviet citizen was only initiated in 1978, 21 years after the signing of the treaty.[317] This means that thousands of crimes by members of the Soviet forces remained unprosecuted. By the beginning of the 1980s, even the docile and subordinate GDR leadership began to question the ongoing rampage of Soviet personnel. In an internal 1985 communique by the *Stasi,* it was considered whether to „increasingly use the contractually ensured responsibilities of GDR authorities in the prosecution of such crimes."[318] In the context of the waning power of the USSR in the 1980s and significant reforms such as *Glasnost* and *Perestroika,* the GDR felt encouraged to increasingly crack down on the crimes of Soviet troops and enacted new directives to members of its law enforcement to increasingly apply its law to members of the Soviet forces.[319] While the last years of the GDR were marked by its increased confidence to act on contractual prerogatives, commissions established by Berlin also found that the Soviet forces acted in an unregulated manner, destroying GDR property and violating East German sovereignty. A *ius in praesentia*, akin to the addendum to the *SOFA* in the west, was never established, and the vague commitments from 1957 were constantly breached by the "friends" from the USSR. Only in the late 1980s did the GDR contemplate drafting new contracts and establishing a commissioner to reshape the relations with the Soviet forces in East Germany, a role not envisioned in the 1957 treaty.[320]

However, too little was done too late, and the GDR remained *de facto* powerless to avert the stationing of foreign troops on its soil, to influence their numbers, and where they were stationed, as well as to enforce its domestic laws in the face of thousands of crimes committed by Soviet troops. Thus, in the question of both the *ius ad praesentia* and the *ius in praesentia,* the GDR was not

[315] Kowalczuk & Wolle 2010, p. 150–152.
[316] mdr.de 2011.
[317] Koop 1996, p. 115.
[318] German: „[…]in Verfolgung derartiger Straftaten in verstärktem Maße von der vertraglich geregelten Zuständigkeit der Organe der DDR Gebrauch zu machen," Ministerium für Staatssicherheit & Hauptamt IX 1985.
[319] Ministerium für Staatssicherheit & Rechtsstelle 1984.
[320] Kowalczuk & Wolle 2010, p. 157.

given any *de facto* agency, while the façade of equality and sovereign rule was kept up for the outside world in the form of the treaties. Sovereignty, both internal and external, was thus severely violated, and the GDR lost all its sovereign powers in the context of the regulation of the stationing of foreign troops.

4.3.3. Finnish censorship laws

In Finland, Soviet troops posed a significant challenge to sovereignty, too. Synonymous with the Soviet threat in Finland was the seaside military base of Porkkala, situated a mere 30 Kilometres southwest of Helsinki. Housing at times more than 30.000 combat troops and officially intended as a base for coastal artillery defending Leningrad, there was little doubt that the Porkkala detachment served as an implicit threat towards Helsinki. As in East Germany, peculiarities and damages persisted under Soviet administration. While the Finnish railways were allowed to pass the Porkkala region in the densely populated south, it was mandated that the cars remained tightly locked and all windows were to be completely blacked out, with exclusively Soviet personnel and locomotives working the stretch. Akin to East Germany, the Soviet forces also caused extensive damage to the base.[321]

However, as the Paasikivi-Kekkonen doctrine became established practice during the 1950s and developments in missile technology rendered the strategic role of Porkkala obsolete, the good relations between Helsinki and Moscow, as well as the rising costs of maintaining a base in Finland, prompted the USSR to return Porkkala. In the context of an extension of the *YYA Treaty* and a Paasikivi state visit to Moscow in 1956, twelve years of Soviet presence in Finland ended, a testament to the success of Finnish foreign policy.

Also, aspects of domestic policy influenced the increasingly cordial relations between the two states. A key element of the Paasikivi-Kekkonen doctrine was to avoid provoking the USSR at any cost, especially after seeing the Soviets' readiness to intervene as they did in the GDR, Hungary, and Czechoslovakia. Politicians abstained from commenting on Soviet policies and their actions, and widely circumvented any contentious topics and events that could compromise this stance. But the Paasikivi-Kekkonen line also reached outside the realm of politics, with one major aspect of society being especially affected: the freedom of the press and cultural expression.

While Finns were not prosecuted for private conversations, and widespread surveillance efforts are not documented, newspapers, books, radio, television, and film were subject to what has been described as "self-censorship" or outright censorship. As for the latter, the most blatant example is the disappearance of thousands of books from Finnish library shelves directly after the signing of the *Moscow Armistice*. Any literature deemed anti-Soviet, ranging from *Mein Kampf* to Finnish

[321] Lindberg 2011.

literature on national history, was to be removed. In total, more than 1,700 titles and over 30,000 books were unshelved from 403 communal libraries.[322] This effort was ordered by the Allied Control Commission and executed by the Finnish Ministry of Education, and was to be a precedent for the relations between the Finnish leadership and Finnish media throughout the Cold War.

While many of the books officially returned to the libraries in 1958, they were kept in special, closed-off sections available only to those with permission. Later, books like *Gulag Archipelago* only became available in Finland via Swedish publishers. This is illustrative of the entire handling of opinions and information about the USSR in Finland. Another sector that was hit by censorship was film. Having established some form of film censorship in Finland already during the 1910s, the industry remained largely unmonitored until 1939, when wartime censorship sought to prevent defeatism, making film censorship more common during wartime. But only after the war, censorship became mandatory, focusing more and more on political suitability, complementing the classic censorship of nudity and violence. Firstly, this led to an increased presence of Soviet films in Finnish cinemas, a genre that had been virtually absent from them in earlier years.[323] Secondly, Finnish movies about the two wars against the Soviets and films on Finnish history that touched upon Russian occupation were banned, especially if they had been produced during the war.[324] Thirdly, the import of films from outside the Eastern Bloc was scrutinised. While the screening of most Western films was eventually admitted in Finland, overtly anti-Soviet films like *The Manchurian Candidate* were not shown in Finnish cinemas.[325] These procedures were codified in 1945, when the *Act on the Pre-screening of Films*[326] established the Finnish Film Examination Bureau, which was to oversee the censorship. This law was extended upon in 1965 with the *Law on Film Examination* to include television productions,[327] and remained in force until 2001, when the last provisions for censorship were abolished. It is remarkable that even for screenings in private contexts, there were provisions to protect the "state's relations to a foreign power", even regulating private footage and non-commercial films, such as travel footage.[328] This is a testament to the wide-reaching attempts of the Finnish government to ensure the success of the Paasikivi-Kekkonen line.

However, the censorship of books and films was easier to perform than the censorship of journalism. In fact, Finland enjoyed the presence of a thriving press landscape and pluralism of opinion throughout the Cold War.[329] However, articles on foreign relations remained vague and largely uncritical of developments abroad, especially in the USSR. English-writing journalists have often reported that a critical piece on Finnish foreign policy or contentious topics such as

[322] Ekholm 2001, p. 52.
[323] Laine 2023, p. 160.
[324] Laine 2023, p. 161.
[325] Fields 1982, p. 18.
[326] *Lag om förhandsgranskning av biografffilm* 1945.
[327] *Lag om filmgranskning* 1965.
[328] *Lag om filmgranskning* 1965, art. 2.1.4; 2.2.2.
[329] Fields 1982, p. 15.

smuggling, trade, and prisoner exchange between the two states has sparked rage in Finnish diplomatic circles. The journalist Enrique Tessieri recounts being threatened by a Finnish diplomat with being blacklisted after reporting on contraband bible trade on the border.[330] This nonchalant, barely hidden aggression towards any critique of the Paasikivi-Kekkonen line also targeted the domestic press. After Finnish media had critiqued Finnish reactions to the US invasion of Grenada, the Finnish president wrote a letter to 30 editors, accusing them of handling foreign policy irresponsibly and referring to them as a "flock of lemmings." By declaring that "from now on, I shall see to it that no one will explain my way of thinking, and that includes myself", he showed how strained the relations between leadership and press could be at times in Cold War Finland.[331] By the 1980s, this way of engaging with the press had already become established practice. In a 1962 report commissioned by the US Central Intelligence Agency, or CIA, Kekkonen is portrayed as "using his official powers extensively to restrain the Finns from the public expression of anti-Soviet sentiments." This ranged from political suppression to attempts to ban journalists and media outlets.[332]

But the firm alignment with the Paasikivi-Kekkonen line was not always clear-cut, as evident in the handling of Finnish television. Extensive self-censorship has been reported, with many foreign productions critical of the USSR not being aired in Finland. This is especially true for the time after the banning of the UK series *The Bear Next Door* by politically nominated Finnish television executives, who were heavily pressured by the Soviet embassy. Domestic productions such as *Näin naapurissa* instead painted a favourable picture of life in the east. However, most Western productions were allowed to air in Finland and soon became very popular, supported by regular Finnish programming, showing the luxuries afforded by a free market economy. This, coupled with linguistic proximity, made Finnish television very popular in Estonia, where Finnish broadcasts could be received with some technical tinkering. The demand for homemade signal decoders, referred to as "Finnish blocks", soared, and the signal mast in Espoo caused political excitement in the USSR.[333] Finnish television became a nuisance for Soviet Estonia since it showed full meat counters[334] and aired nuanced political analysis. The latter, however, should not be too nuanced, as the politically instated leadership of broadcasting houses often fired journalists who were too critical of Finnish foreign policy.[335]

In summary, Cold War Finland enjoyed extraordinary freedoms of the press and cultural expression compared with other countries in the Soviet sphere of influence. However, it quickly becomes clear that there were some significant challenges to its sovereignty in this regard. Blatantly

[330] Tessieri 2012.
[331] Wiskari 1984.
[332] Director of Central Intelligence 1962.
[333] Lepp & Pantti 2013, p. 76f.
[334] *Väiskin lihatiski* 1987.
[335] Fields 1982, p. 17f.

obvious is the open censorship of books and film via state institutions such as the Film Examination Bureau. A more implicit influence was that of the Paasikivi-Kekkonen doctrine, which prevented journalists and media from openly reporting about Soviet misconduct or openly opposing their work. In what has become pejoratively known as Finlandization abroad, the Finnish leadership significantly restricted itself and the Finnish public in its expression and opinion, constituting a clear limitation of its sovereignty, as these measures would not have been implemented without Soviet pressure. Thus, regarding censorship and freedom of the media, Finland did suffer some reduction of sovereignty.

4.4. Sovereignty in political communication

As evident in all cases above, the communication on official channels was often sidelined by more clandestine ways of communication. Especially in the case of the GDR and Finland, the USSR did apply pressure via foreign policy, economy, or military in ways that were seldomly visible to the general public, as they were either contained in treaties that *pro forma* served to bolster, not suppress sovereignty or were transmitted informally in meetings of the political leadership. Examples that have been mentioned above include the Adenauer notes of 1951, the GDR's prostration to the Group of Soviet forces and their adulation to their eastern friends, as well as the close relations of Finnish presidents to their peers in Moscow and the local KGB.

These examples give a valuable insight into the *de facto* interpretation of the *pro forma* commitment to respect each other's sovereignty and promote emancipation. The ambiguity of the concept of sovereignty becomes especially apparent when comparing this covert, internal communication with the pomp and formality of treaties and laws. It is important to remember that most of the sources discussed below are the product of highly circumstantial situations and are thus not authoritative for the broader discussion of their content. However, they are a prime example of the variety of perspectives on the concept of sovereignty, which is not as monolithic as the treaties suggest it to be. Instead, they are examples of ambiguity, picked for their singular perspective. They represent only a fraction of all interpretations of sovereignty, evidence of the fast-changing pace and complexity of international politics in the Cold War. Especially in Germany, the question of statehood and sovereignty was closely linked to integration into international alliances, as they both guaranteed and controlled postwar Germany's efforts to rebuild statehood.

4.4.1. The 1951 Adenauer notes

West Germany, having arisen from the Trizone and being formed by the close cooperation between the CDU government and the western powers, saw the Soviet Union as one of the premier threats to its autonomy. At first, this was a political question. The USSR had indicated that a united

Germany was only to be if it were neutral and demilitarised. While the western powers positioned themselves firmly by Bonn's side, some sought reunification as a cheaper alternative that would also pacify the notoriously belligerent Germans. The CDU, staunchly Christian and anti-Communist, opposed this as a principle. Conversely, especially after the escalation in Korea, many feared a Soviet invasion, as the USSR had also gained nuclear capabilities by this time. Bonn, wary of both scenarios, decided that a strengthened Germany on the eastern flank of the Western Bloc gave the best chances of preserving sovereign statehood.

In this context, Chancellor Adenauer sent two memoranda to the representatives of the western powers in 1950. In his *Memorandum on the Security Question*, he pointed out the significant threat the Soviet Union posed to the FRG. He was particularly alarmed by the offensive stance of the Red Army in the eastern zone.[336] In order to withstand the socialist forces and maintain internal security in case of an emergency, even without Western assistance, he offered to form West German armed forces.[337] However, the continued presence of Western troops and a tightly intertwined defensive effort was a firm part of the equation. In his *Memorandum on the Reorganisation of the Relationship between the Federal Republic of Germany and the Occupying Powers*, he addressed the changed conditions of the early 1950s. The provisions of the occupation statute had become obsolete due to the changes in global geopolitics and the political emancipation of the FRG.[338] A renegotiation of the basis for future relations was necessary. In Article Three of this memorandum, Adenauer proposed:

> 1. The state of war between the Allied powers and Germany shall be ended.
>
> 2. The purpose of occupation shall henceforth be the protection against external dangers.
>
> 3. Relations between the occupying powers and the Federal Republic shall progressively be governed by a system of contractual agreements.[339]

The first two proposals clearly aim at securing West German sovereignty in the face of the Soviet threat. The termination of the state of war and the continued presence of troops for protection rather than repression would tighten the bond between West Germany and the West, signalling the FRG's membership in a western, anti-communist bloc. However, the third proposal forms the core of the memorandum. The relationship between the Germans and the occupying powers had so far been unilaterally governed by the occupation statute. A contractual regulation of relations would involve West Germany in this process. The continued presence of the western Allies in Germany would thus be bilaterally agreed upon, with Bonn allowing the presence of

[336] Adenauer 1977, art. 2.
[337] Adenauer 1977, arts. 3–5.
[338] Adenauer 1967, art. 1.
[339] German: „1. Der Kriegszustand zwischen den alliierten Mächten und Deutschland wird beendet. 2. Der Zweck der Besatzung ist in Zukunft die Sicherung gegen äußere Gefahr. 3. Die Beziehungen zwischen den Besatzungsmächten und der Bundesrepublik werden fortschreitend durch ein System vertraglicher Abmachungen geregelt," Adenauer 1967, art. 3.

foreign troops on its territory rather than merely enduring it. This would result in a significant increase in West German sovereignty, as it would now be directly involved in decisions regarding events on its soil. This plan was to reach completion with the signing of the *Paris Accords* in 1954.

However, Adenauer's memoranda were never officially sent to the western Allies, as his cabinet rejected them. The West German chancellor remained adamant in his resolve and used his extensive powers in his double role as chancellor and foreign minister to transmit the memoranda either way. This made the memoranda part of an unofficial communication between Adenauer and his Western peers. His personal commitment to German emancipation via integration kick-started the process that would eventually lead to treaties signed in Paris. However, it is important to underline that in doing this, he bypassed the democratic process and, personally, in a sense, autocratically influenced politics. Nevertheless, the western powers responded to this proposal. They agreed to end the state of war and revise the occupation statute. The security of the FRG would be strengthened by increasing Western military presence and the establishment of armed police units at the regional level. They also recognised the FRG as the only legitimate German state but ruled out western-led reunification due to the progressing Sovietisation of the eastern zone. Thus, West Germany would gain significant competencies, particularly in foreign trade and policy.[340]

Adenauer's personal initiative shows how important private relations and unofficial communication can be in international politics. Sovereignty here is a matter of negotiation that far surpasses its use in a legal sense, as in the treaties discussed above. It becomes a matter of national security, an expectation for the future, and a contribution to the shared interest of defensive capability. It is something that must be gained by giving parts of it away. Adenauer's memoranda thus highlight the malleability and ambiguity of the concept.

4.4.2. East German intervention in the ČSSR

In the east of Germany, the SED government had also begun to push for more integration, especially military. In fact, the establishment of armed forces had outpaced western efforts, and by the beginning of the 1960s, the NVA and its associated paramilitary organisations had reached considerable size and capabilities.[341] Compulsory military service and the associated political indoctrination became a dreaded part of adolescence for millions of GDR citizens. The officer corps was tightly intertwined with SED structures, ensuring that the armed forces posed little internal danger to state socialism. But, like the SED, the NVA was totally dependent on aid and guidance from the USSR. Throughout the Cold War, the NVA lacked essential capabilities for an

[340] *Communiqué on Germany, New York* 1950.
[341] Macgregor 1988, p. 530.

autonomous upkeep of combat readiness. Logistics, communication, military intelligence, officer training, and military are but a few aspects of core military competencies that the NVA lacked, as it was left to the ally in the east to provide. In fact, detachments above the level of division were directed by Soviet officers, with the German commanders merely executing their orders. Thus, the NVA remained a mere tool of the Soviet Army.[342]

However, by the late 1960s, in a period of social and economic stabilisation, the SED leadership under the aegis of Walter Ulbricht took a more active stance.[343] Hawkishly monitoring the developments in the ČSSR, the GDR, along with a majority of the Eastern Bloc, disavowed the Czechoslovak efforts to reform the Marxist-Leninist system, to what has become known as "socialism with a human face." The GDR actively participated in many meetings between the bloc and the ČSSR leaders,[344] taking a hardline stance, demanding that censorship and a single-party state be reintroduced, to avert the "counterrevolution."[345] However, the appeals to Prague remained fruitless, and Warsaw Pact forces under the leadership of the Soviet Union invaded Czechoslovakia in August 1968. The NVA, curiously, was not amongst them.

The Soviet leader Leonid Brezhnev told Ulbricht in no unclear words that an invasion by German troops, no matter how socialist, was unacceptable, as it would invoke memories of the *Munich Agreement* of 1938 and the German invasion of Czechoslovakia.[346] While two German divisions under the command of Soviet staff officers lay ready by the border, combat troops never entered the ČSSR. However, there was a minor presence of NVA coordination personnel in Prague, and some overzealous reconnaissance units crossed the border inadvertently. Polish, Hungarian, and Bulgarian forces, conversely, actively partook in what was known as "Operation Danube".

The Soviet "*нет*", no, was not well received in Berlin. In fact, East German propaganda maintained until the end of its existence that the NVA had participated and played a crucial role in combating the counterrevolution and protecting the international socialist alliance. While modern historians maintain that the GDR's support and role as a staging ground played a substantial role in supporting the invasion,[347] the GDR remained barred from participating in this joint eastern military campaign, evidence of its special, subordinated role inside of the bloc. Berlin sought to be as active as possible, doubling down on the propaganda effort, establishing radio programmes in Czech and Slovak aimed at the occupied country.[348] The inability to use its own troops at free will and equal integration into the eastern alliance, however, was at full display in 1968.

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[342] Kowalczuk & Wolle 2010, p. 118.
[343] Wilke 2008, p. 46.
[344] Navrátil et al. 2006.
[345] Schiwkow et al. 1968.
[346] Wolfrum 2017, p. 8.
[347] '*68er-Serie*', Radio Prague International, 22 Aug. 2008.
[348] Röck 2004, p. 267.

GDR newspapers engaged in full swing to support the invasion, highlighting the role of East Germany as a defender of socialism.[349] Any deviation from bloc doctrine was to be punished, vilifying the ČSSR. Their previous attempts to establish diplomatic relations with the FRG only increased the GDR's resolve to preserve the *status quo*, making it especially hard to be confined to a merely supportive role. Paradoxically, bitterness over the exclusion led the GDR to move even closer to the Soviet line, increasingly becoming less tolerant of dissent within the socialist world. Its new role as hardliner is best exemplified by the termination of relations with the tiny communist party of the small island state of Iceland. After a profound critique of the invasion, the SED, in accordance with the local Soviet embassy, condemned the party for counterrevolutionary thought and isolated it.[350] In fact, the myth of GDR involvement in the invasion proved to be so firmly embedded that the first and only democratically elected parliament of the GDR issued an official apology for partaking in what it called an "illegal military intervention" in "breach of […] the constitution of the GDR."[351]

Two things became clear during the 1968 crisis in Czechoslovakia. Firstly, the GDR was desperately anxious to show its Soviet overlords its willingness to use any means necessary to defend Marxist-Leninism. After having stabilised the situation at home, Berlin sought to become accepted in its bloc not only as the single legitimate German state, but also as a socialist nation that was both ready and capable of projecting socialism abroad.[352] The treatment of the GDR during 1968, which starkly differed from that of other Soviet satellite states, however, shows that the USSR did not regard it as neither ready nor suitable to project socialism. It remained a "suspicious state", not entirely unlike the FRG in the West, as described above. No measure of personal communication from Ulbricht or SED propaganda could change that.

Secondly, the GDR had developed into a highly militarised society that was entirely toothless when it came to autonomously using its military potential. While millions of East German citizens were either actively serving in the NVA or were part of its attached paramilitary organisations, it was the Kremlin that commanded them. All heavy equipment, logistics, intelligence, and strategic capabilities remained sourced and controlled by the Soviets. While the SED had made a point about extensively schooling the NVA officer corps in political matters, the fact that this schooling inadvertently led to subjugation to the USSR under the cover of internationalist Marxism-Leninism gave Berlin no ability to control the NVA. This, in combination with the wide array of privileges afforded to the Soviets, made the NVA little more than a glorified detachment of the Soviet Army. The invasion of Czechoslovakia is evidence of this, since the NVA troops were barred from entering by Soviet commanders, with the SED leadership unable to enforce their participation.

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[349] Zentralkomitee der Sozialistischen Einheitspartei Deutschlands, Staatsrat der Deutschen Demokratischen Republik, & Ministerrat der Deutschen Demokratischen Republik 1968.
[350] Ingimundarson 2001, p. 131.
[351] *Gemeinsame Erklärung der Volkskammer* 1990, art. 3.
[352] Wilke 2008, p. 51.

Thus, the GDR, even after decades of integration and subjugation to the Soviets, was unable to gain even the slightest measure of sovereignty through diplomatic and propaganda efforts.

4.4.3. The Paasikivi–Kekkonen doctrine

In Finland, the government under Urho Kekkonen faced similar, albeit not identical, challenges. The Soviet Union's constantly shifting policy and needs tested Finland's ability to walk a tight line between remaining autonomous and appeasing Moscow. Already in the 1950s, after relations had initially improved and the Soviets even vacated Porkkala, the atmosphere soured. The 1954 election in Finland resulted in a big win for social-democratic and nationalist parties inherently opposed to socialism.[353] Since 1956, political turmoil in Finland had caused four governments to fail in the span of two years, and now the prospect of further deteriorating stability, causing a rift between the USSR and Finland, loomed. Kekkonen, not up for election in his role as president, publicly opposed the national-conservative parties and emphasised the need for stable relations with Moscow, where Nikita Khrushchev had referred to them as being cold as "night frost."[354]

It is here that Kekkonen first displayed behaviour that would come to be characteristic of Finnish politics throughout his tenure as president. Publicly disavowing any changes proposed by the new government and refusing to partake in all not strictly mandatory official functions, he left his political opponents on their own to deal with a hostile USSR. Carefully choosing his public appearances, he presented himself as the voice of reason as the relations seemed to deteriorate rapidly. In fact, vital negotiations on infrastructure, fishing rights, and most vitally trade rights were suspended by the Soviets after several diplomatic scandals, such as barring officials from entering Finland. As these suspended negotiations were of critical importance to the survival of Finnish autonomy, the government was forced to resign, and Kekkonen announced the formation of a new minority government under the leadership of his own party. Diplomatic relations were reestablished and negotiations continued after a personal visit of Kekkonen and his wife to Leningrad, where a "coincidental" meeting with Khrushchev smoothed the waves.[355]

Kekkonen embraced his role as the man Moscow trusted in Finland, repeating these personal and semi-official ways of meeting high-ranking Soviet leaders to shape the politics of Finland. Just two years later, in 1961, during a visit to the USA, a Soviet diplomatic note necessitated another personal intervention.[356] With Moscow demanding a renegotiation of Finnish military positioning, coinciding with a ramp-up in nuclear testing and political crises in Berlin and Cuba, Finnish neutrality and, thereby, autonomy were at risk. Again, it was Kekkonen personally who travelled to

[353] Nohlen et al. 2010, p. 606.
[354] Arter 1998, p. 41.
[355] Wettig 2015, p. 99.
[356] Gufler 1961a.

Novosibirsk to meet Khrushchev and hold closed talks,[357] leading Moscow to indefinitely postpone a reform of Finnish military positioning.[358] Thus, yet another crisis was averted by the direct intervention of Kekkonen, acting not mainly in his role as president of Finland, but as a Soviet ally.

There has been a debate among historians about whether it was a coincidence that the 1961 note crisis coincided with another Finnish election, as in the late 1950s.[359] This time, Kekkonen's office was up for the vote, and there was serious competition. Kekkonen's handling of the crisis ensured his victory, and as popular support grew, he ended up winning an almost two-thirds majority of the votes. There is significant speculation about whether the Soviet Union actively pushed for the crisis to enable Kekkonen to shine in handling it, as he was considered Moscow's closest ally in Helsinki. Kekkonen himself remained confident in securing the necessary support from the Soviet Union, believing he was the only viable candidate capable of safeguarding Finnish interests while maintaining Soviet approval, a perception later corroborated by reports from KGB defector Oleg Gordievsky.[360]

In fact, Kekkonen continuously expanded his competencies as president throughout his tenure. While he remained extremely popular,[361] even uniting as many as nine parties behind him, his leadership has also been described as autocratic. His disregard for due democratic process is best exemplified by the electionless extension of his third term in 1973 or his absence from all televised candidate debates before his fourth term, which he nevertheless secured with 259 out of 300 votes.[362] One of the most important factors for his enduring popularity and political success was his ability to appease the Soviets. This was built upon close personal relations to Soviet leaders and public deference, linked with the steady reaffirmation of the *YYA Treaty* and the Finnish policy of self-censorship, as detailed above.

Thus, it can be said that the Paasikivi-Kekkonen line succeeded in keeping Finland autonomous, with especially Kekkonen playing a big role in maintaining and even developing cordial relations with the Kremlin. However, it was not only the Soviets that profited, as a great measure of Kekkonen's success relied on their cooperation and political interference, as exemplified by the two crises described above. Thus, critical aspects of Finnish sovereignty were at the whim of an individual's negotiation skills, who was known for autocratic tendencies, drunkenness, narcissism, and impulsivity, not unlike his Soviet counterparts.[363] Nevertheless, Kekkonen succeeded in keeping Finnish autonomy and sovereignty, albeit it was not merely Finnish official policy and diplomacy that ensured it. Significant guarantees were centred on Kekkonen's person, making

[357] Gufler 1961b.
[358] Cook 1961.
[359] Lavery 2003, p. 381–388.
[360] Andrew & Gordievsky 1991, p. 434.
[361] Illustrative video of the 1978 Finnish presidential elections, *Kekkonen* 2012.
[362] Nohlen et al. 2010, p. 630.
[363] Bakhmetyeva 2022, p. 286–294.

sovereignty also an issue of personal relations.[364] The possibility of instantly losing autonomy and thus sovereignty with changing political figures highlights the ambiguity of the concept of sovereignty, especially when compared to the sweeping, permanent commitments to uphold it in treaties.

5. Concluding Analysis

As presented in the chapters above, the study of sovereignty shows the necessity of approaching it not as a fixed attribute of statehood or legal term but as a dynamic and ambiguous concept shaped by its historical development, specific application, and context. Drawing on the theoretical framework of conceptual history as established by Reinhart Koselleck, this thesis highlighted contexts where sovereignty was used as an ambiguous and flexible concept during the Cold War. In fact, it was far from being a monolithic term. Additionally, through the analysis of the cases in the FRG, the GDR, and the Republic of Finland, it has been shown that sovereignty functioned as a central term in international relations, where its application was also marked by inconsistency, ambiguity, and political opportunism.

Chapter One established the relevance of the concept of sovereignty in both historical and contemporary discourse, emphasising the renewed political significance of the term in modern conflicts and debates. It has been shown that sovereignty continues to be invoked in international politics, used by actors across the ideological spectrum. It remains central when referring to statehood, its interpretation, however, varies widely depending on historical, legal, and political contexts. Recognising this inherent ambiguity necessitated formulating a strict theoretical and methodological approach capable of tackling the multiple implications of the term. Conceptual history, with its dual approach of both diachronic evolution and synchronic plurality, was identified as the most suitable theory.

Theory and scientific context were established in Chapter Two, where, after explaining *Begriffsgeschichte* in detail, outlining the historical development of the term sovereignty from its linguistic origins in Latin through its developments in the political philosophy of early modern Europe took centre stage. The writings of Jean Bodin and Thomas Hobbes highlighted the early association of sovereignty with undivided monarchical authority, an effect of absolutist influences on the writers. Subsequent developments during the Enlightenment, particularly in the works of John Locke and Jean-Jacques Rousseau, marked the emergence of popular sovereignty and the gradual shift of the concept of a sovereign from an individual ruler to a collective political entity, reflecting the political circumstances of the French Revolution. This chapter demonstrated that sovereignty has expanded from historically describing political realities to formulating normative

[364] Wettig 2015, p. 106.

expectations, as proposed by writers like Michel Foucault. The ongoing debate on whether sovereignty is either descriptive or prescriptive has contributed significantly to its contemporary ambiguity.

Seeking to make these theoretical considerations more palpable, Chapter Three delineated the methodological framework employed in the subsequent case studies, where, building on the theory described above, sovereignty was divided into three analytical categories: inner sovereignty, external sovereignty, and limited sovereignty. Thus, inner sovereignty refers to a state's domestic authority and capacity to legislate independently, while external sovereignty concerns itself with the equality and autonomy of states in the international arena. Consequently, limited sovereignty describes conditions in which external influence, be it military, political, or economic, constrains the exercise of both inner and external sovereign authority.

The empirical analysis in Chapter Four demonstrates the applicability and relevance of these theoretical and methodological considerations. The analysis of post-war Germany revealed its special status as an occupied territory, while the study of Finland illustrated a distinct approach to preserving sovereignty in the face of Soviet pressures, making both, or all three, cases relevant and interesting subjects for analysis.

West Germany, having formally regained sovereignty through the 1954 *Paris Agreements* and its subsequent integration into the Western Bloc, remained subject to significant limitations. The Allied High Commission's persisting powers, the ongoing presence of foreign troops as a NATO member, and the conditions attached to German rearmament all constrained West German sovereignty. The *Supplementary Agreement to the SOFA* further formalised the continued foreign military presence, making it more bearable and subject to Bonn's demands. The usage of sovereignty remained largely rhetorical in the beginning, serving to assert national dignity and political agency while masking the profound strategic dependencies inherent in its position within the Western alliance system. Later, it could be shown that full integration into the latter largely remedied the dilemma, with the FRG regaining significant parts of its national sovereignty. The dual character of West German sovereignty, simultaneously affirmed and undermined, exemplifies the broader patterns of Cold War power politics, in which overt legal formulations of sovereignty often obscured political realities challenging it.

East Germany faced similar yet distinct challenges. While the *Treaty on Relations* nominally granted Berlin full sovereignty, the realities of Soviet influence severely restricted it. The presence of Soviet troops, the subordination of the NVA to Warsaw Pact command structures, and the heavy involvement of Moscow in virtually all social and political matters rendered East German sovereignty largely theoretical. The failed attempt to join the intervention in the suppression of the Prague Spring further revealed the extent to which East German actions were dependent on Soviet strategic imperatives rather than independent policy decisions. Sovereignty in the GDR thus remained a performative act, necessary to signal legitimacy both domestically and internationally,

without ever reaching actual sovereignty. This analysis proved that in both German states, sovereignty functioned primarily as a tool of political communication rather than as an accurate description of political reality. It is important to emphasise that the GDR remained significantly more restricted than the FRG, which was able to reach a considerable degree of autonomy and equality, hallmarks of sovereignty.

The Republic of Finland presented a markedly different case. With the signing of the 1948 *YYA Treaty*, Finland agreed to exercise constraint in matters of foreign policy in exchange for remaining autonomous. The Paasikivi-Kekkonen doctrine, formulated in response to the realities of Finland's geopolitical situation, led to a policy of forced neutrality and cautious political manoeuvring. With it, Finland retained full control over its domestic political system, maintaining pre-war democratic institutions, civil liberties, and economic independence. However, this sovereignty was not preserved without compromise. Finland engaged in self-censorship, adapted its foreign policy to avoid provoking the USSR, and occasionally subjected itself to Soviet pressures in matters of domestic and international importance. Finnish sovereignty was thus preserved through a pragmatic strategy of self-restraint, demonstrating a flexible and highly political understanding of the concept. The Finnish case illustrates that sovereignty, when conceived as a dynamic and political, not legal, concept, could be maintained under conditions of significant external pressure, even as contractual commitments to uphold it were next to useless. Nevertheless, it remained limited.

Across all cases analysed, it has become apparent that referring to sovereignty was common for legitimising political authority during the Cold War, regardless of the actual degree of autonomy exercised. From 1945 to 1991, sovereignty functioned as a critical element of political communication, serving to assert the legitimacy of states both domestically and internationally, even when actual sovereignty was limited or absent. The contrast between formal legal declarations of sovereignty and the practical realities of external influence and dependency emphasises the inherent ambiguity that characterises the concept.

Furthermore, the comparison of international treaties, legal texts, and political communications revealed the different ways in which sovereignty was articulated in different source types. Treaties and legal documents often conceal the reality of limitations on sovereignty behind formal language, creating an impression of autonomy and equality not present in reality. Conversely, political communication is more representative of the actual context, clearly using sovereignty claims to achieve specific domestic or international objectives. This disparity highlights the importance of viewing sovereignty not only through formal, legal approaches but also through the broader lens of actual political practice and ideological implications.

The application of *Begriffsgeschichte* throughout this study has proven effective in capturing the complexity of sovereignty as it was applied during the Cold War. By integrating both diachronic and synchronic perspectives, it is possible to move beyond simplistic binary distinctions between

sovereign and non-sovereign states. Instead, sovereignty emerges from the analysis as a continuum, shaped by historical developments, political strategies, and power dynamics. The methodological approach allows for a more accurate and nuanced understanding of political realities during the Cold War and remains relevant for contemporary analyses, as the black and white of treaties and legal text was complemented by a significant zone of grey with the inclusion of historical and cultural context as well as personal correspondence.

In summary, it could be shown that the Cold War context continues to offer valuable insights into the functioning of sovereignty in a world characterised by asymmetrical power relations. The historical experiences of West and East Germany, as well as Finland, demonstrate that sovereignty is rarely an absolute condition, as suggested by treaties and laws, representative of a pre-*Sattelzeit* interpretation. Rather, it is a negotiated and contextually determined status, shaped by the interplay of internal capacities and external constraints. The invocation of sovereignty serves not only to describe political realities but also to formulate expectations and demands, making it a political term itself, a *Kampfbegriff*, or political battle cry.

In conclusion, the Cold War analysis illustrates that sovereignty must be understood not as a fixed and static attribute but as a historically contingent and contextually determined concept. The cases of the FRG, the GDR, and the Republic of Finland demonstrate the diverse ways in which states navigated the pressures of the international system, using sovereignty to assert their agency while adapting to the constraints imposed by the geopolitical order. Thus, sovereignty remains a central but ever-changing and ambiguous concept in international politics, and its study requires a method capable of accommodating these complexities.

This thesis has sought to contribute to such an understanding by applying conceptual history to the study of sovereignty in the Cold War context, demonstrating the enduring relevance of both the concept and the method. As political developments continue to challenge traditional notions of sovereignty, a historically informed and contextually sensitive approach will remain essential for grasping the evolving dynamics of international relations. Sovereignty was not only used in the past but remains relevant in contemporary political life, where its meanings and applications must be continually analysed and critically examined.

6. Further cases of ambiguous use of sovereignty

Moreover, the findings of this study suggest that the challenges to sovereignty observed during the Cold War have not disappeared in the contemporary international system. The increasing interconnectedness of states, the rise of supranational organisations, and the persistence of asymmetrical power relations continue to challenge traditional notions of sovereignty. New forms of dependency, influence, and intervention have emerged, further complicating the already

ambiguous status of sovereignty. In this context, the application of conceptual history offers a valuable tool for analysing and understanding the evolving dynamics of international relations.

Three cases appear to be promising for further research, delving into the realm of contemporary history. Firstly, connecting to the case of Cold War Finland, Japan has often referred to Finlandisation when describing its relations with China. Japan's role as an economic powerhouse without military teeth has been severely criticised in the face of Chinese expansionism in the Yellow Sea, and together with the unloved neighbour South Korea and the US, a new strategic position has been formulated. As mentioned in Chapter Three, Japan's relation to war and its armed forces is strained, and significant aspects of its national security rest on good relations with the USA, something that, akin to the development in Europe, has begun to be questioned. Thus, Japan, especially in the context of Chinese growth and the waning power of the USA, presents an interesting case when it comes to contemporary challenges to sovereignty.

Secondly, another contested case of sovereignty presents itself in the Asian Pacific with the Republic of China, Taiwan. Since the Sino-Sino split in the 1940s, Taiwan has succeeded in remaining autonomous and has built democratic structures on top of a thriving economy. However, its successes in the diplomatic sphere remain small. Many states don't conduct any formal relations with Taipei, and its strongest ally, the USA, has sent mixed signals for decades, while its nemesis, the People's Republic of China, has only ramped up its threats and aggressive stance. Its sovereignty is thus not only contested directly by China, but also formal recognition, as within the UN, remains a contentious issue. The separation of these two spheres and an analysis with the help of conceptual history would prove fruitful.

And lastly, to reconnect to the very beginning of this thesis, the war in Ukraine and Russian claims to sovereignty present a very interesting and contentious case. Russia is adamant that it holds historical claims over Ukrainian soil, connecting irredentism to sovereignty, making it a part of the discourse of identity politics. This is even more evident in the rhetoric on Russian ethnicity and language in Ukraine. Additionally, sovereignty has been a key concept in the process of integrating the Luhansk and Donetsk oblasts into the Russian Federation, with the annexation of Crimea and the corresponding referendum doubling down on the invocation of sovereignty, thus making it part of the legal language of expansionism. And lastly, Russian propaganda attacks have centred around questioning the legitimacy of the Ukrainian government and thereby the sovereignty of its people, emphasising the theoretical background of sovereignty in power politics and statehood. All this happens in the face of a country defending its territorial integrity, the democratic will of its people, and the exercise of international law, all aspects of sovereignty, which was guaranteed by Russia a mere 20 years before. This ambiguous use of sovereignty within one concept makes the Ukrainian war a very interesting case for analysis, with a cautionary caveat that it remains an incredibly sensitive and volatile situation.

As shown above, the concept of sovereignty deserves not only a thorough analysis in historical cases but continues to be incredibly relevant even today. It remains to be seen whether the tools conceptual history provides will prove to be as effective for the analysis of new contexts as they have been for the analysis of the Federal Republic of Germany, the German Democratic Republic, and the Republic of Finland during the Cold War.

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