Czecho-Slovak claims on German territory

Laun Rudolf von
CZECHO-SLOVAK CLAIMS ON GERMAN TERRITORY

THIRD EDITION

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WITH TWO MAPS

THE HAGUE 1919. MARTINUS NIJHOFF
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Preface.

This study, as presented, offers nothing new as a work of research. Its purpose, rather, is to explain facts and questions pertaining thereto, which, it is to be regretted, are but little known abroad.

For the historical data relating to the conditions under which early settlements were made in countries under the Bohemian Crown, we are indebted to Prof. Dr. Hans Voltelini of the University of Vienna; for the compilation of statistics, to Dr. Wilhelm Winkler of Vienna.

We beg to convey our deep sense of obligation and thanks to both of these gentlemen.

Every reader of this little pamphlet is requested to circulate its contents as widely as possible.

Vienna, January 10, 1919.

The Authors.
Introduction.

I was prompted to collaborate with Prof. Laun in this little work from a purely human interest in the fate of a people with whom an association of more than ten years has given me ample opportunity to study the conditions related in these pages.

Under the most trying circumstances of their existence, during this long war, I found them true to their ideals, and singularly free from prejudice of nationality, a crucial test of their noble character.

The magnanimous treatment accorded me, as well as all foreigners, known to me, has strengthened my conviction in the sterling qualities of the German-Austrian people, and I offer this testimonial in the hope that their urgent appeal for justice and deliverance from an ignoble subjection may not fall upon deaf ears or meet with prejudiced minds.

Vienna, January 10, 1919.

Dr. I. Lange.
Czecho-Slovak Claims on German Territory.

AMONG the principles laid down by President Wilson in his message to Congress January 8, 1918, and in his speeches of February 12, July 4, and September 27, 1918, there were those for the exclusion of national conquest and annexation of foreign territory.

In his message of January 8, 1918, he stated the following: “That it be made safe for every peace-loving nation which, like our own, wishes to live its own life, determine its own institutions, be assured of justice and fair dealing by the other peoples of the world, as against force and selfish aggression.”

In his message to Congress on the 12th of February he set forth:

“That the peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere pawns in a game.

That every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned, and not as a part of any mere adjustment or compromise of claims amongst rival states.”

In his speech at the grave of Washington on July 4, 1918, Wilson declared:

“The settlement of every question, whether of territory, of sovereignty...... upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.”

His speech on the occasion of the issuance of the fourth peace bond loan on September 27, 1918, urged:
“The impartial justice meted out must involve no discrimination between those to whom we wish to be just and those to whom we do not wish to be just. It must be a justice that plays no favorites and knows no standards but the equal rights of the several peoples concerned.”

These principles, whatever their purport, were formally accepted in official declarations. Only England made a reservation as to the freedom of the seas. This point, however, is outside of the subject under discussion¹). As to the rest, it may be maintained that these principles became legally binding for those states which mutually agreed to accept them, at the moment of their acceptance in the declarations by the opposite side. But whoever repudiates international law formed in this manner, must nevertheless admit that Wilson’s principles have become a political program of all the states which have accepted them, and that no state can afford to reject them without jeopardizing the confidence of the entire world in the good faith of its leaders, thereby violently shaking the foundation of the coming peace.

It appears rather singular that one of the just newly created states of Europe, although ushered into the family of nations as an ally of the United States of America, is willing to recognize Wilson’s principles wherever most advantageous to itself, while in other respects it claims the application of the opposite principles.

On the 14th of November Prime-minister Dr. Kramarz as the mouthpiece of the Czecho-Slovak republic, declared that the republic firmly and irrevocably insists on the integrity of the Czech countries consecrated by the history of many centuries; that the Germans are not to be curtailed, if they become loyal supporters of the Czech state; but a disruption of the Bohemian countries the Czechs would never permit, not only by reason of their historical claims, but on account of the right of minorities to a free and independent national existence.

From this two principles are evolved. First, that the historic right outweighs the right of national self-determination; second, that a territory shall not be allotted to that state to which the predomi-

¹) Vide “Words of Reason”, Aug. 29, 1918, and January 24, 1919: Disarmament and the Freedom of the Seas; by Prof. Laun. Published in Berne, Bernerhof, Switzerland.
nating majority of its population nationally belongs, but to that state in which the minority had settled in small communities.

It is often unknown, especially in foreign lands, that the countries under the historical Bohemian Crown are in no wise nationally uniform Czechoslovak territory, but, on the contrary embrace large purely German territories connected with other territories of German-speaking people. A brief statistical statement follows.

The total of the territory in question exceeds 26,000 square kilometer of old German ground inhabited by more than 3,000,000 Germans, not including numerous enclaves of German speaking people and numerous German minorities within the Czechoslovak territory.

To this territory the Czechoslovak state lays claim according to the official declaration of its Prime-minister referred to above, and, step by step, is occupying it with troops, in an attempt to confront the peace conference with a fait accompli. In the East, however, the same state takes the stand towards Hungary that the right of self-determination is stronger than historical rights and that the majority and not the minority of the inhabitants of a territory should decide its political allegiance.

To justify this contradiction before the public a covert inquiry was addressed to the then Austrian Prime-minister by the Czech members of the former Austrian Upper House of Parliament in its 37th session October 21, 1918. In this interpellation they protested against cutting off the German settlements in the countries under the Bohemian Crown in the event of changing Austria into a confederation of nationalities. These German settlements they termed "Germanized borderlands". They maintained that such a separation would impair the vitality of the newly formed Czech state. At the same time they decided to disregard the integrity of the lands under the Holy Hungarian Crown and to unite the Slovak territory with the Czechoslovak state. No parallel should be drawn between this separation and the separation of the so-called province of German Bohemia, for the following reasons: Geographically, this Germanized border territory, resembling in form two outstretched arms embracing Czech territory, would be a shapeless formation; economically, it would entail a great loss to both sides, and historically, such crippling of the Bohemian Kingdom would be no repa-
ration for wrongs suffered, but might be considered as securing the booty obtained in course of time. For they do not regard the largest part of the so-called German-Bohemia as regained by conquest, but as the site of a vast cemetery, the common grave of the Czech people. It was further stated that the present form of German-Bohemia was derived from the "Vernewerte Landesordnung" (Reformed Provincial Constitution) of 1627, from the centralizing system of the epoch of Maria Theresa, from Joesfinism and the reactionary autocracy preceding the revolution of March 1848. Also, that the most recent instances of breach of constitution under the administration of Seidler and Hussarek were for the purpose of outlawing the Czech minorities living in the Germanized territory.

As everybody in Austria knows that these statements do not accord with the facts, this interpellation was evidently addressed to the Prime-minister for the purpose of making propaganda in foreign countries for the Czech claims upon German territory. It was intended to create the impression that German-Bohemia was forcibly Germanized by the Austrian Government in recent years and also that the territory where Czechoslovak is spoken cannot form a viable state. In fact, from the foreign press one frequently infers that German-Bohemia is considered a country inhabited by oppressed or forcibly Germanized Czechs and that the power over German-Bohemia is looked upon as a condition vital to the existence of the Czechoslovak state.

Such erroneous opinions can be refuted only by facts. Therefore, a brief survey of these facts will be in order here. To what extent the Czechoslovak claims upon German territory are justified in the light of the prevailing democratic principles and the prospective newly developing international laws, the reader can judge for himself.

To begin with, a few words regarding the historical reasons upon which the Czechoslovaks base their claims.

It is incorrect in every respect that the present possessions of the Germans in Bohemia, Moravia and Silesia have been acquired by the Austrian government through robbing or germanization. The Germans have been in possession of their present domiciles in the countries under the Bohemian Crown for many centuries and came into their possession mostly in a peaceable way, as settlers on uninhabited land or as invited guests.