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Between a Custom War and the Magyarization process in Transylvania: Romania's tense relations with Austria-Hungary and their impact on the renewal of their alliance

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Abstract

Relying on the new realities following the Treaty of Berlin (1878), Romania wished to secure its newly-won independence and consolidate its national security. Knowing the evolution of Germany under Bismarck, and being aware of the danger represented by Russia and its Balkan ambitions, Romania concluded that an alliance with the Central Powers was a necessity. This alliance, however, couldn't be signed directly with Germany, as the Romanian leaders wished, but the treaty had to be signed with Austria-Hungary, with whom Romania didn't have very good diplomatic relations. After the treaty was signed and Romania became part of the Central Powers alliance, the already strained relations with the Dual Monarchy worsened. Two important reasons for this were the

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customs war of 1886-1891 and the growing Romanian national movement in Transylvania. This paper will analyze the cumulative effects which these two actions had on Romania's decision to renew the treaty with the Central Powers in 1892.

On June 10th/22nd, 1875, Romanian diplomats made a significant achievement, by concluding an economic Convention with Austria-Hungary. The importance of the event was great, since Romania wasn't even a fully independent nation yet, and from Romania's point of view, it represented a manifestation of its sovereignty. This was also stressed by the fact that it was a treaty signed with a European Great Power of the time. This international document had important economic consequences for Romania, and its renewal would prove to be problematic, straining the relations between the two countries even more.

The Convention was signed under the favored nation clause, which Romania gladly accepted. Still under the suzerainty of the Ottoman Empire, Romania wanted to attain direct commercial ties with foreign partners, in order to assert its economic and political independence. The Convention was advantageous for Romania in the regard that Romania could export its agricultural products without any tariffs, or very reduced ones, to the dual monarchy.[1]

From a political point of view, signing this kind of convention with a Great Power, represented a stepping stone for Romania in claiming and affirming its independence. The price for these actions was the massive amounts of Austro-Hungarian industrial products which flooded the Romanian market, directly

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[1] Valentin Bodea, *Aspecte ale relațiilor economice româno-austro-ungare în prelungirea războiului vamal (1893-1914)* in "Revista Țara Bârsei", No. 1, 2002, p.162.
http://tara-barsei.ro/wp-content/uploads/2008/12/bodea2002.pdf

competing with similar Romanian products. By importing these goods, Romania's industry suffered, and its development was hampered – private initiatives in various economic fields and especially in industry were discouraged, thus delaying the modernization of the country's economy.[2]

The flood of imported goods allowed by the convention was described by Ion Ghica: *Bucharest was not long ago a real manufacturing center, but today it is a city exclusively for consumption and partying, grocery store after grocery store, pub after pub, [...] all full of foreign goods and German beer; chalk and brick, glass and wood, butter and vegetables come to us from across nine seas and nine countries; in the most modest house as in the most sumptuous palace, […] from floor to ceiling, from the soles to the crest you cannot find a bed, a glass, a chair, a napkin, a boot, a hat that is not ready to be brought from abroad. In the country of hemp, we buy bags and twine from the Germans!"[3]* The growth of imports can also be seen in the statistics below.

Table 1. The Evolution of imported goods by Romania in millions of Lei 1860 – 1900

[Annual averages at the value of the Romanian national currency *Leu* in 1867][4]

1860 – 1864	70
1865 – 1869	75
1871 – 1875	103
1876 – 1880	267
1881 – 1885	293
1886 – 1890	330
1891 – 1895	395
1896 – 1900	327

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[2] *Ibidem.*

[3] Ion Ghica, *Convorbiri economice*, 1879, Bucharest, Socec Press *apud* Bogdan Murgescu, *România și Europa – Acumularea de apanaje economice (1500-2010)*, Bucharest, Polirom, p.113.

[4] *Ibidem,* p. 114.

The statistics show, at the same time, an important increase in Romania's exports to Austria-Hungary, but also a significant increase of imports from the dual monarchy. Almost half of Romania's imports originated from Austria-Hungary, between 1875-1885, and the biggest share of these goods came from Transylvania. Thus, the quantity of exported goods from Romania to Transylvania increased from 33,400 tons to almost 90,700 tons, and the imports increased from 73,900 tons to 94,000 tons, in only 3 years, from 1882 to 1885.[5]

Because of the increased demand, two of the most important investments for the development of trade between Romania and Transylvania were the construction of the Orșova-Vîrciorova and the Brașov-Predeal railways in 1879 and 1882, respectively, which eased the transport of goods. Romania imported from Transylvania glassware, wood, furniture, leather, agricultural machinery, and many others. In a few years, the number of goods imported and exported through Predeal doubled, and then even tripled. Thus, the interdependency between Romania and Transylvania was manifested in an undeniable way. Many industrial branches blossomed, and the wealth of artisans and farmers increased visibly.[6]

Despite these positive aspects, the Convention had a series of negative consequences for Romania. As stated before, the preferential tariff which Austria-Hungary was offered, resulted in a serious decline in Romanian's industrial

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[5] Iosif I. Adam, *"Formarea pieței unitare românești și însemnătatea ei pentru progresul economic și social al României"*, National Museum, 6:213-218, 1982, p. 214
https://www.ceeol.com/search/article-detail?id=561853
[6] *Ibidem*.

production. As P. S. Aurelian stated: "*No industry could linger in the country and the factories which existed before 1876 disappeared*".[7]

The bringing into force of the Convention had a negative impact not only on Romania's burgeoning industry, but also on its trade balance. It is true that Romania was exporting larger quantities than it imported, but the value of the imported goods was higher. The trade balance was further affected especially after the restrictions imposed by Austria-Hungary on cattle imports.[8]

Ten years after signing the Convention, in 1885, Romania, now an independent country – and a monarchy – decided not to renew it. In Budapest, the Trade Convention with Romania was considered damaging for Hungary and especially for Transylvania. In Austria, certain groups were interested in prolonging the convention, mainly because it was important for the export of industrial goods from Austria.[9] In Romania, public opinion was increasingly dissatisfied with the convention with Austria-Hungary.

In this regard, the Austro-Hungarian diplomat Mayr who was sent to Bucharest, submitted a report , on December 24th, 1884, to the Ministry of Foreign Affairs in Vienna. In turn, the Ministry of Foreign Affairs sent a copy of the report to the Ministry of Agriculture, Industry and Commerce in Budapest, on December 30th. The report signaled the growing antagonism in the Romanian Parliament towards the trade Convention.[10]

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[7] "Tribuna", Sibiu, 2, No. 8, 11/23 January, 1885, p. 30 *apud* Iosif I. Adam, *"Formarea pieței unitare românești și însemnătatea ei pentru progresul economic și social al României",* National Museum, 6:213-218, 1982, p. 215.
https://www.ceeol.com/search/article-detail?id=561853
[8] *Ibidem*, pp. 215-216.
[9] Gheorghe Nicolae Căzan, Șerban Rădulescu-Zoner, *România și Tripla Alianță 1878 – 1914*, Bucharest, Editura Științifică și Enciclopedică, 1979, pp. 149-150.
[10] *Ibidem*, pp. 138-141.

The Romanian Chamber of Deputies had created a committee of 15 members, to examine the disadvantages of the convention for Romanian trade. One of the members, Schileru, was vocal in criticizing the Convention – he was even preparing an interpellation regarding Romania's export of cattle. In the Senate, the Austrian report pointed Grigore Sturdza as the main instigator of the opposition. He had called on the Government to make the conditions under which the convention can be denounced public.[11] The report concluded with the observation that these two exponents of the mentioned campaign were at the same time in favor of a political rapprochement with Russia, and this fact could not exclude foreign involvement.[12]

Thus, some in Romanian political circles were against extending the Convention, especially with Austria-Hungary's new demands which disadvantaged Romania.

This concern of Austria-Hungary about Romania's political leaders, and their potential fall under the influence of Russia was justified by what was happening on the European stage. In the last decades of the 19th century, the relations between Russia and France were improving. Romania was a Francophone country, who was attuned to European foreign policy and was sympathetic to France. Thus, a rapprochement between Russia and Romania could not be excluded.

The strengthening ties between France and Russia started with the granting of advantageous loans to Russia in 1887, by French bankers who enjoyed

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[11] *Ibidem*, p. 142.

[12] H. Mureşan, *Date noi în legătură cu războiul vamal dintre România și Austro-Ungaria 1886-1891*, in "Anuarul Institutului de Istorie", Editura Academiei Republicii Socialiste România, XII 1969, p. 115. http://dspace.bcucluj.ro/jspui/handle/123456789/142369

government support. At the same time, Germany was attempting to form closer ties with Great Britain, and Chancellor Leo von Caprivi of Germany refused – in this period – to renew the "Reinsurance" treaty with Russia. This paved the way for the French and the Russians to find common ground. Finally, the closer ties between the two culminated in 1892 with a military convention.[13]

At the same time, in Vienna there were fears that Russia was forming closer ties with Great Britain. These Austro-Hungarian fears were reflected in newspapers like the "Transylvanian Gazette", which on the 31st of May/ 12th of June 1890 published an article saying: *The German newspaper "Kreuzzeitung" received a telegram from Paris, in which it says that the English ambassador in Petersburg, Sir Robert Morier, who is liked by both the Tsar and Queen Victoria, as well as the Prince of Wales, is the mediator of secret negotiations between Petersburg and London. Between the Tsar's wooden palace and the English embassy in Petersburg there has never been a more intimate relationship as now, says the so-called Newspaper. The relations became so close that, during a week's time, the tsar visited the English ambassador three time.*[14]

After the signing of the Treaty of Berlin in 1878, the political leadership in Bucharest concluded that an alliance with the Central Powers was in the best interest of Romania. Germany was perceived as the strongest military power, therefore a perfect counter to the Russian threat.

The Eastern Question was the grand problem which convinced Charles I and the Romanian political leaders to change their foreign policy between 1875-

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[13] Gheorghe Nicolae Căzan, Șerban Rădulescu-Zoner, *op.cit*, p. 184.
[14] "Gazeta Transilvaniei", No.121, 31 May/12 June, 1890, p.1
http://www.bibliotecadeva.eu/periodice/gazetatransilvaniei/1890/05/gazeta_transilvaniei_1890_05_121.pdf

1878. Thus, from a balancing policy, they opted for Germany after 1878 due to their distrust of Russia and her goals of expanding her influence in the Balkans.[15]

The alliance system created by Bismarck included Romania ever since 1880. He considered that signing a treaty between Romania and Austria-Hungary could significantly help the alliance in its eastern ambitions. His interest wasn't necessarily for Romania, but for its strategic position, which could have helped Austria-Hungary strengthen its influence in the Balkans. An alliance with Romania would have also strengthened the eastern flank of the Central Powers. In his view, the gap in the defensive system could be filled by Romania. [16]

This way, the sphere of influence envisioned by Bismarck in the Balkans, counterbalancing Russia, was becoming a reality. The alliance with Romania represented a check on the *status-quo.* In the long run, it was meant to isolate the disruptive elements controlled by Russia, which could affect European peace. [17]

The Romanian decision to sign the alliance was made even though Austria-Hungary ruled over lands inhabited by Romanians who were subjected to an intensive policy of Magyarization.

This meant that old animosities had to be held back by both parties regarding the Transylvanian problem. King Charles I explained to von Bülow, the German representative in Bucharest, in 1888, the reasons why Romania joined the Central Powers back in 1883: *"[Our] relations with Russia... are an arduous problem of our foreign policy. We don't want to provoke Russia. We even want to do everything that we can to avoid a war with her. But, due to the danger that threatens us from Russia's side,*

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[15] Keith Hitchins, *România 1866-1947,* Bucharest, Humanitas, 2013, pp. 65-66.

[16] William Oldson, *Bismarck looks East: The Austro-Romanian Treaty of 1883* in "Il Politico", Vol. 42, No. 2, 1977, p. 291.

[17] Otto Pflanze, *Bismarck and the development of Germany – The Period of Fortification, 1880-1898,* Volume III, Princeton, Princeton University Press, 1990, pp. 219-224.

we need the support of the Central Powers."[18] To conclude his politics and thoughts, Charles I then finished by saying: "*due to the fact that the dangers which loom over Romania from Russia are more serious than the bad treatment and sorrow of the Romanians living in the Hungarian territory, Romania seeks protection and safety with the Triple Alliance.*"[19]

Romania's bandwagoning behavior in international affairs was kept hidden through the actions of King Charles I and the country's leadership, right before and after the signing of the treaty with the Central Powers. The treaty itself obtained its legitimacy in the personal and dynastic wishes of Charles I, who was surrounded by a small circle of pro-German politicians. Knowing, and keeping in mind, the situation of Romanians in Transylvania the political leadership in Bucharest kept the information about the treaty secret, not wishing to antagonize public opinion. This decision reflected itself in the relations with the Central Powers after 1890, when the treaty had to be renewed.

The other party to the treaty, Austria-Hungary, accepted an alliance with Romania out of military and political considerations. In case of war with Russia, the southern part of the front was to be secured by the Romanians. Even if Romania joined the war or just remained neutral, Austria-Hungary's flank was going to be protected. At the same time, attempting to expand its influence in the Balkans, Austria-Hungary thought that the alliance with Romania would stop Romania from siding with Russia and would also decrease Russia's influence in Bulgaria. But maybe the most convincing reasons for accepting the alliance with Romania were the 3 million Romanians who were living in the empire and looking towards

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[18] Alexandru Tzigara-Samurcaș, *Din viața regelui Carol I. Mărturii contemporane și documente inedite*, Bucharest, Imprimeria Națională, 1939, p. 321.
[19] *Ibidem.*

Romania with hope. The dual monarchy wanted to dampen the national aspirations of those Romanians, which didn't happen, especially in the new European context at the beginning of the 20th century.[20]

The objectives of Romanians living in Transylvania and Hungary were manifested officially in their fight for equality of rights, which was a stepping stone towards union with Romania. From the motherland, they received help from different social groups for their struggle, and at the same time, the larger masses could not refrain from publicly showing their hope of a union with Transylvania. Only in the political circle, a more subtle, tempered approach was used. This was dictated by the alliance signed with Austria-Hungary and Germany, which was only known by very few politicians at that time.

Coming back to the trade relations between Austria-Hungary and Romania, the new demands which Austria-Hungary imposed on Romania, for example the demand to allow Austro-Hungarian citizens to purchase property in Romania – something which was prohibited by Romania's Constitution – made the Ion C. Bratianu government to cease economic relations with its neighbor and to introduce an autonomous customs tariff. This led Austria-Hungary to forbid the transit of Romanian cattle through its territory and then to increase tariffs by 30%.[21] Under these circumstances, the customs war between Romania and Austria-Hungary started and it had negative consequences especially on Transylvania's economy, heavily impacting the local industrialists, artisans and merchants.[22]

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[20] Gheorghe Nicolae Căzan, Șerban Rădulescu-Zoner, *op.cit.,* p. 108.

[21] Victor Jinga, *Problemele fundamentale ale Transilvaniei*, Brașov, Astra Brașov Press, vol. I, 1945, pp. 311-335.

[22] Carol Golluner, *Consecințele convențiilor vamale dintre Austro-Ungaria și România asupra vieții economice a Transilvaniei 1875-1891* in "Revista Studii", Tom. 21, No. 2/1968, p. 326. http://bit.do/Studii-TOM21-2-1968

"The damages of the customs war will be paid by the Transylvanian people"[23], was a conclusion made by the "Transylvanian Gazette" in 1886, just before the trade dispute started. The same idea was described by the "Ellenzék" paper of Cluj-Napoca – *"Hungary's economy can survive a Customs War, but not Transylvania's industry and commerce."*[24] The same note was stated by the Vienna newspaper "Neue Freie Presse" in a somber description: *"The soldiers are not called to arms, the cannons are not marching down the street, the danger of battle is missing, but the goal is the same: destroying the enemy".*[25]

The introduction of these autonomous tariffs from 1878-1879 was part of the repositioning of Austria-Hungary's foreign economic policy. The Dual Monarchy was moving away from international free trade and heading towards a protective tariff system. The introduction of the new tariffs was underscored by the fiscal interests of the country, which dictated that the Government had to improve revenues. Despite this protectionist policy, the Dual Monarchy still tried to direct its commerce towards Eastern and South Eastern Europe. However, the relatively positive relations which Austria-Hungary had with Romania and Serbia deteriorated due to its decisions with regards to foreign trade.[26]

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[23] "Gazeta Transilvaniei", No. 106, 11/23 May 1886, *apud* Carol Golluner, *Consecințele convenţiilor vamale dintre Austro-Ungaria şi România asupra vieţii economice a Transilvaniei 1875-1891*, "Revista Studii", Tom 21, No. 2/1968, p. 326.
http://bit.do/Studii-TOM21-2-1968

[24] "Kronstäder Zeitung", 19 June, 1886 *apud* Carol Golluner, *op.cit.*, p. 326. http://bit.do/Studii-TOM21-2-1968

[25] "Neue Freie Presse" 18 May, 1886 *apud* "Gazeta Transilvaniei", No. 104, 9/21 May, 1886, p.1
http://www.bibliotecadeva.eu/periodice/gazetatransilvaniei/1886/05/gazeta_transilvaniei_1886_05_104.pdf

[26] Rudolf Grät (ed.), *Monarhia habsburgică (1848-1918), Volume I, Dezvoltare economică, administraţia şi sistemul juridic, forţa armată*, Bucharest, Academia Română, Centrul de Studii Transilvane, Editura Polirom, 2020, pp. 59-61.

The tariffs which the Austro-Hungarians introduced, were in fact a response to German protectionism. When Germany closed its market to Austro-Hungarian agricultural products, applying harsh sanitary and veterinary regulations, the Dual Monarchy decided to apply similar measures to neighboring countries.[27] This is how the customs war with Romania began, a matter which had dire consequences on the Eastern and South-Eastern parts of Transylvania.

The tariffs were detrimental to many different industries, especially in Transylvania. First, the forestry industry in the south-eastern counties of the province: Brasov, Trei Scaune, Fagaras and Sibiu, suffered losses. The products from these countries had been exported in significant quantities to Romania but starting with 1886, the customs war prevented manufacturers from transporting wood, a fact which determined them to ask the Ministry of Industry and Commerce for the removal of the tariffs. We can understand how much the customs war affected the forestry industry just by looking at the low prices of timber and comparing them to those of 1885. One cubic meter cost in 1885 between 13-28 florins, while in the fall of 1886 it cost between 7-16 florins.[28] This drop in prices was a result of the decreased demand from the Romanian market.

Moreover, a serious loss was registered by the manufacturers of furniture with curved wood. Manufacturers of this kind from Codlea and Rupea, who exported monthly to Romania up to 2,000 chairs, were compelled to decrease production. They tried to adjust by selling products on the US market, but the results were not satisfactory. As a consequence of the dwindling profits, some

[27] *Ibidem.*

[28] Carol Golluner, *op.cit.* p. 329. http://bit.do/Studii-TOM21-2-1968

workshop owners decided to move their operations. It is the case of the Hornung Brothers from Rupea who migrated with 50-60 workers to Romania.[29]

Other areas of activity affected by the increase of tariffs were the rope industry, ceramics and tiles industry and the clay workers in Cisnădie. The latter were forced to completely cease their activity in 1886. As it often happens in a market economy, fueled by supply and demand, the ceasing of certain imports from Transylvania benefited Romania. For example, the decreasing imports of rope products favored the development of domestic Romanian producers.[30]

Therefore, unemployment in Transylvania increased due to the trade barriers. Another industry which laid off workers and contributed to unemployment was the glass industry. Exports of glassware decreased dramatically after the introduction of restrictive tariffs. This led to the firing of most workers from the factories in Avrig, Porumbacul de Sus or Bicsad, and the decrease in production to less than half of that of 1885. In both Brașov and Sibiu, artisans were feeling the sting of the economic downturn. They were prohibited from selling their goods due the tariffs and were watching how their products were piling up on the floors of their workshops.[31]

The customs war also affected in 1886 the manufacturers of textile and leather goods from Brasov, Cisnădie, and other towns, due to a similar decrease in demand. They had to reduce production to less than a quarter of that of 1885. Similar reasons made two investors from the area, Rhein and Scherer, to arrive at

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[29] Ioan Tiberian, *Legăturile economice dintre România și Transilvania în perioada 1876 – 1886; aplicarea Convenției comerciale din 1875*, in "Revista Studii", Tom 22, No. 5/1969, p. 906; Carol Golluner, *op.cit.*, p. 329. http://bit.do/Studii-TOM21-2-1968

[30] Carol Golluner, *op.cit.*, pp. 329-330. http://bit.do/Studii-TOM21-2-1968

[31] "Gazeta Transilvania", No. 148, 1/16 July 1886, pp.1-2.
https://www.bcucluj.ro/synfilebibdigit/periodice/gazetadetransilvania/1886/BCUCLUJ_FP_P2538_1886_049_0148.pdf

the same conclusion as the Hornung Brothers from Rupea: they dismantled their machinery and moved their operations in Azuga, taking with them many skilled workers.[32]

Out of all the fields of activity mentioned so far, the leather industry was probably the hardest hit by the decisions taken in Budapest and Bucharest and the information above is just a precursor of the difficulties suffered by these workers. The activity of leatherworking workshops was hampered all over Transylvania. Not only the great centers like Sibiu, Sebeș, Făgăraș, Brașov, etc, were affected, but also small businesses in the field from Odorhei, Covasna and Cohalm. The reason behind the decrease in activity was due to the lack of materials.[33] Raw hides had been imported from Romania, but the tariffs imposed by Budapest decreased this import significantly. As a result, many artisans decided to migrate to Romania in search of work. They chose to leave through "Valea Cucului".[34]

These were not isolated cases. Many skilled artisans, from many fields of activity, decided to migrate to Romania with their families in search of work opportunities. In Romania, great numbers of these migrants found work with construction companies, especially carpenters, apprentices, masons, but also unskilled laborers, who were hired in advantageous conditions. These opportunities were attractive for many Transylvanians.[35]

Therefore, the commercial bond between Romania and Transylvania was important, as an article in the "Siebenbürgisch Deutsches Tageblatt" newspaper pointed out when negotiations to sign a new economic Convention were about to

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[32] Carol Golluner, *op.cit.,* pp. 330-331.http://bit.do/Studii-TOM21-2-1968
[33] *Ibidem.*
[34] „Valea Cucului" was a route used for smuggling and illegally crossing the border during the Customs War.
[35] Carol Golluner, *op.cit.,* p. 331; Ioan Tiberian, *op.cit.,* p. 906.

begin: *"Romania was and is the natural debut of our industry. We warn those who can decide not to easily sacrifice the interests of industry and artisans."*[36]

In these circumstances, the Austro-Hungarians agreed to engage in negotiations for a trade agreement with Romania, in January 1887 – on Minister D.A. Sturdza's visit to Vienna. The conversations were related in the "Transylvanian Gazette", as follows: *"Romania wants to conclude the treaty, but it also wants to ensure it has the conditions, which she believes she is lacking, to be able to develop a national industry."*[37]

The Austro-Hungarian side did not provide the Romanians with satisfactory concessions. Thus, the delegation left Vienna without concluding the agreement which was so desired by the inhabitants of Transylvania. Later, on May 10th, in Budapest, representatives of all agricultural societies from Hungary met in order to block all future negotiations with Romania. Therefore, after the failure of negotiations in Vienna, Budapest tried to block all future attempts at solving this issue.[38]

Even though some in Budapest tried to block negotiations, there were Hungarian politicians who noticed the negative effects of the customs war. It is the case of deputy J. Horvath, who in the meeting of February 11th, 1887, of the Parliament in Budapest stated: *"If we always use the phrase that there's no interest which binds us to Romania, then we only have to think about the increasing interest of Germany and England towards the Romanian market. The state does not have to direct its*

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[36] „Kronstädter Zeitung" 24 April, 1886, *apud* Carol Golluner, *op.cit.*, p. 322. http://bit.do/Studii-TOM21-2-1968

[37] "Gazeta Transilvaniei" No. 69, 28 March/9 April, 1887, p.1.
http://www.bibliotecadeva.eu/periodice/gazetatransilvaniei/1887/03/gazeta_transilvaniei_1887_03_69.pdf

[38] Carol Golluner, *op.cit.,*p. 332. http://bit.do/Studii-TOM21-2-1968

commercial policy according to theories but, it must take into account the links which already exist".[39] Horvath's point of view was shared by Zay, deputy for the county of Brașov. However, minister Széchényi was staunchly against a trade agreement with Romania. Széchényi is reported to have stated with regards to such an agreement that *"We cannot jeopardize life and material existence".[40]*

Mihail Kogălniceanu who had been one of the most significant critics of the previous economic Convention, stated that: *"this country must have her sovereignty over her economic interests, she wants to be master of her own home, to show that she has her own strength, that she does not need to beg for treaties or conventions."[41]* His point of view was unchanged since 1875, when he was arguing against the Convention when Parliament was debating the signing of it. At the time he stated that he believed *"[that] the reciprocity which we are told we are granted is only a fiction, because there isn't the slightest equality of opportunities between the two contracting parties. We, Sirs, through this convention are condemning ourselves to being no more than a grain and raw-materials producing population."[42]* His idea of a strong Romanian industry can also be found in Ion C. Brătianu's liberal program which already introduced several laws for encouraging various industrial sectors.

Just like Kogălniceanu, Ion C. Brătianu denounced the economic convention on the 20th of May/1st of June 1885, arguing that the customs regulations

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[39] "Kronstädter Zeitung", 16 February, 1887, *apud* in Carol Golluner, *op.cit.,* p. 332
http://bit.do/Studii-TOM21-2-1968

[40] ***Convenția cu România în dieta ungară,* 10 February 1887, in "Gazeta Transilvaniei", No. 75, 4/16 February, 1887, pp.1-2
http://www.bibliotecadeva.eu/periodice/gazetatransilvaniei/1887/02/gazeta_transilvaniei_1887_02_25.pdf

[41] "*Desbaterile Adunării Deputaților",* Bucharest, 7 February, 1887, in Valentin Bodea, *op.cit.,* p.163.
http://tara-barsei.ro/wp-content/uploads/2008/12/bodea2002.pdf

[42] Constantin C. Giurescu, Dinu C. Giurescu, *Istoria Românilor din cele mai vechi timpuri până astăzi,* Bucharest, Editura Albatros, 1975, p. 639.

of Austria-Hungary are unfavorable for the Romanian economy.[43] His position was synthesized in the "Transylvanian Gazette": *"We will make all concessions that will allow us to achieve our interests as an agricultural country. If, however, the neighboring monarchy were to be in the claim to keep us in an agricultural state, to indirectly prevent the establishment of any industries, then we must resign ourselves, we will prefer the autonomous tariff."*[44]

Negotiations continued throughout 1887 with the help of the diplomatic representatives of Romania and Austria-Hungary but stopped in September 1887. In the meantime, reports continued to pour into Bucharest from Budapest and Vienna continuously signaling the decrease in imports from Romania into Austria-Hungary, but also a reduction of economic activities in Hungary which were related to trade with Romania. A special report of the Romanian legation in Vienna confirmed that the public opinion in the capital of the dual monarchy was increasingly in favor of an economic settlement between Austria-Hungary and Romania.[45]

That same year, the idea of drafting a "Memorandum" about the situation of the Romanians living in Austria-Hungary took root. The project for this Memorandum was presented in the autumn of 1890 in the national conference of P.N.R – Romanian National Party. At this event, Transylvanian Romanians requested: 1) equality of rights for the Romanian people with the other nationalities, 2) a condemnation of the elections law, 3) the unmasking of abuses committed by the Hungarian authorities which were done under the protection of

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[43] Valentin Bodea, *Aspecte ale relațiilor economice româno-austro-ungare în prelungirea războiului vamal (1893-1914)* in "Revista Țara Bârsei", No. 1, 2002, p.163.
http://tara-barsei.ro/wp-content/uploads/2008/12/bodea2002.pdf
[44] "Gazeta Transilvaniei", No. 106, 1/23 May, 1886, pp.1-2.
[45] Gheorghe Nicolae Căzan, Șerban Rădulescu-Zoner, *op.cit.,* p. 209

the nationalities law, 4) opposition towards the laws regarding education, the press and 5) action against the unequal representation of Romanians in the system of Law Courts.[46]

The embitterment of relations between nationalities started in 1879, when the Hungarian Parliament passed a law which made teaching in the Magyar language mandatory in Romanian elementary schools, both Orthodox and Greek-Catholic. This decision was the first in a series of multiple laws which tried to impose, not only on Romanians, but on the other nationalities as well, an education system in accordance with the principle of the national Hungarian state. In 1883 a similar law was passed, but this was affecting secondary schools, where students were being taught in other languages besides Hungarian. In 1891, the use of the Hungarian language was enforced in non-Hungarian kindergartens. Both the education system and religious autonomy were attacked aggressively by Hungarian laws, wishing to undermine the autonomy of the Romanian Orthodox and Greek-Catholic Churches. The purpose of these actions was to extend the control of the Hungarian authorities over teachers and priests, who were considered instigators against the Government's assimilation policy.[47]

The increasing number of actions by the Romanian National Movement from Transylvania made Austro-Hungarian and German officials worry about the consequences of the Hungarian Government's aggressive behavior towards Transylvanian Romanians. In Romania, King Charles I and the political leadership, both the Liberals and Conservatives, were looking for ways to use the said actions of the Romanian National Movement. Thus, in all three states, there was a concern

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[46] *Ibidem*, pp. 189-191.

[47] Mihai Bărbulescu, Dennis Deletant, Keith Hitchins, Șerban Papacostea, Pompiliu Teodor, *Istoria României*, Bucharest, Corint Educaţional Press, 2014, p. 335.

with regards to the actions of the Romanian National Party from Transylvania, and how they would affect the bonds between Romania and the Triple Alliance and the general balance of power in Europe.[48]

The situation in Transylvania was creating tensions and important debates in the Assembly of Deputies in Bucharest as well. In December 1890, deputy Ion Grădișteanu talked about the validity and legitimacy of Romania's foreign policy as the country was having visibly closer ties to the Central Powers. He criticized the statements of Titu Maiorescu, who wrote in 1881 that a close relationship between Romania and Austria-Hungary would ensure a better situation for the Romanians living in Transylvania. Grădișteanu continued stating that „*Oh well, Gentlemen, it has to be written once and for all both in Vienna and Pest, that as long as the screams of pain of Romanians will echo in our ears, friendship between Romania and Austria-Hungary cannot exist.*" Furthermore, he concluded with the idea that „*We believe, we are certain that no government will ever be capable of at least talking with the neighbouring monarchy until the state of affairs beyond the mountains will, without a doubt, be changed.*"[49]

The foreign minister, Alexandru Lahovary, replied to Grădișteanu saying that even if Romania may sympathize with the Central Powers, it doesn't have any kind of alliance or treaty with them: „*You asked me another question. You asked: if there is a military convention […] between us and the Austro-Hungarian monarchy? I give you the most formal denial of this noise from the newspapers. Therefore, on these precise points, which were touched upon by mister Grădișteanu in his speech, I think I gratified*

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[48] Keith Hitchins, *A nation affirmed: The Romanian National Movement in Transylvania 1860/1914*, Bucharest, The Encyclopaedic Publishing House, 1999, p. 297

[49] *Desbaterile Adunării Deputaților*, No 21, 14 December, 1890, p. 168. http://bit.do/Desbateri14DEC1890

the Chamber by giving a definite and real explanation. Now, if we are to explain ourselves the general tendencies of the policy of this country; if you ask me about the triple alliance; if you ask me what attitude we have to face with the triple alliance of the central powers and against the other powers that are left out of this group, my answer will be short. This is not the place, nor the time, to discuss such issues. All I can tell you is that if the triple alliances maintains peace in Europe as we are allowed to believe so far; if it is not prepared enough to provide the world with invaluable benefits of peace, then we Romanians, who have need of peace, who aspire to peace, we can't help being personally satisfied with such a resolution and such a reflection in the councils of the great powers of Europe; but from there to a special and formal treaty made with this confederation of powers, it is a step which we did not take."[50]

Once again, the secrecy of the alliance with the Central Powers was an important factor in the minds of the few politicians who knew about it. The general opinion in Romania about the Magyarization process directed against the Romanians from Transylvania was strong enough to create a political crisis if the secret alliance would have been discovered by the public.

Ion Brătianu asked, yet from the preliminary negotiations of the 1883 treaty, that the provisions referring to not tolerating political agitations or other subversive actions directed at the other party – by both sides of the treaty – be removed from the draft. This demand was made under the excuse that the existence of such an article stemmed from the premise that there was a lack of trust between the two countries. Count Kálnoky, Austria-Hungary's foreign minister, accepted Brătianu's suggestion. Other important issues were the secret character

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[50]*Desbaterile Adunării Deputaților*, No. 21, 14 December, 1890, p. 169.
http://bit.do/Desbateri14DEC1890

of the treaty, but also Brătianu's demand that the treaty be signed not only with Austria-Hungary, but also by Germany.[51]

The Romanian foreign minister knew how unpopular the treaty would be in Romania and realized how public opinion could shift. Naturally, he wanted to avoid such problems. So, due to the negative feelings which the Romanian public opinion was showing towards Austria-Hungary, both Charles I and the Romanian Government saw themselves forced to undergo a foreign policy which was prudent, not fully committing Romania to the 1883 treaty.

In January 1891, the economic issues caused by the customs war had been discussed during general Manu's visit in Vienna. The interlocutors didn't make any new statements or any new offers with regards to a future convention but limited themselves to expressing the wishes and the assurance given by Kálnoky that Romania will obtain concessions for the export of cattle and grain.[52] That same year, the commercial convention signed with Germany expired and Romania adopted a new autonomous tariff which was not accepted by Germany. Both countries made demands but due to the fear of having to deal with a united economic Austro-Hungarian-German front, Romania mitigated hers.[53]

In July 1891 the customs war between Romania and Austria-Hungary came to an end. Both countries decided to impose a general tariff for imported goods, as the "Transylvanian Gazette" concluded: *Regarding the new Romanian customs tariff, the newspaper „Neue Freie. Press" confirmed: <<The new Romanian customs tariff has a*

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[51] H. Mureşan, *Politica externă a României între 1871-1900 în corespondenţa diplomatică germană,* in "Anuarul Institutului de Istorie", Editura Academiei Republicii Socialiste România, XIII 1970, p. 204 http://dspace.bcucluj.ro/handle/123456789/142370

[52] Gheorghe Nicolae Căzan, Șerban Rădulescu-Zoner, *op.cit.,* pp. 209-210.

[53] *Ibidem.*

great importance for Austria-Hungary, because it puts an end to the customs war.>>"⁵⁴ In September, Kálnoky remarked on the importance of the end of the customs war for both Romania and Austria-Hungary. He stated that this has given Austria-Hungary the advantage to be able to compete with other countries on the Romanian market. He also made reference to the political and economic relations which have improved between the two countries. These statements were not even close to the truth.

The socio-political movement of Romanians from Transylvania who drafted the Memorandum had a powerful echo and found support and solidarity in Romania. Many politicians, including D. A. Sturdza believed that the Memorandum was "a great act" and a great action.[55]

The Transylvanian national and economic issues were incentives powerful enough to put Austria-Hungary and Germany in a situation where they needed to increase their diplomatic efforts towards Romania, to be sure that the treaty signed in 1883 would still be renewed in 1892.

The Memorandum was just another complication in the already strained relations between Romania and Austria-Hungary. It transformed the problems in Transylvania into politically charged issues which were of interest to the masses in Romania, especially in the cities of Jassy and Bucharest. Both Liberal and Conservative politicians felt pressured to take a stand against the Hungarian Government's attitude towards Transylvanian Romanians.[56]

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[54] *"Neue Freie Presse"* 5/17 July, 1891, *apud "Gazeta Transilvaniei"*, No. 149, 6/18 July, 1891 http://www.bibliotecadeva.eu/periodice/gazetatransilvaniei/1891/07/gazeta_transilvaniei_1891_07_149.pdf

[55] Gheorghe Nicolae Căzan, Șerban Rădulescu-Zoner, *op.cit.*, p. 210.

[56] Keith Hitchins, *op.cit.*, pp.302-303.

Thus, large protests took place in Bucharest, making political leaders feel compelled to debate the situation in Transylvania in both the Assembly of Deputies and the Senate. At the same time, in order to show its support, Romania created the "League for cultural unity of all Romanians" (in short, the Cultural League), on the 24th of January 1891.[57]

Even if the customs war came to an end, the industry and artisans of Transylvania received difficult blows. The economy of the province had always been linked with that of Romania, and the difficulties created by the limiting of imports and exports created numerous problems, as I have also shown above.

The customs war between Romania and Austria-Hungary had important economic consequences on Transylvania's economy, especially on the small urban artisans and on farmer's small industries. The effects can be seen especially in the areas which were close to the Romanian border, for example in the South-Eastern part of Transylvania. The central part was also affected, but not on such a large scale. Meanwhile, in the northern part of the province, in regions like Maramureș, the effects were much smaller.

Another conclusion we can draw is that the customs war also had a series of positive effects. The hardest hit were the small city workshops, which were stuck in their old ways of producing small quantities of products. The customs war forced these workshops, together with the small factories, to adapt and to introduce a more modern, more industrialized mode of production, in order to cut labor costs. Therefore, we can state that the customs war increased the capitalist

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[57] Constantin C. Giurescu, Dinu C. Giurescu, *op.cit.,* p. 672.

character of South-East Transylvania, where the small businesses had to adapt to the rapidly changing markets of the late 19th century.[58]

Despite this positive effect, once the artisans and industries from Transylvania were cut off from the Romanian market, it was difficult, almost impossible, for them to return. This led to the ruin of artisans, which would have probably happened even without the customs war. But this event hastened the process.

For Romania, the customs war also had both positive and negative effects. The negative impact on Romania's economy was felt especially amongst cattle breeders.[59] Despite this fact, Romania benefitted from the migration of some artisans and skilled laborers from Transylvania. But the most beneficial consequence for Romania was the fact that its industry started developing, in order to compensate for the lack of products from Transylvania, and in order to be competitive on other foreign markets.

Through this customs war, Austria-Hungary tried to achieve two objectives. First it wanted to better incorporate Transylvania, from an economic point of view, into the dual monarchy. Second, it wanted to weaken the ties between Transylvania and Romania. In this last regard, like we have seen, Austria-Hungary failed.

Due to the strong reactions of the Romanian public opinion to the policy of Magyarization in Transylvania, both Austria-Hungary and Germany made changes to their approach to Romania and increased their diplomatic efforts. Moreover, during the customs war between Romania and Austria-Hungary, in

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[58] H. Muresan, *Date noi în legătură …….*p. 141.
[59] Ioan Tiberian, *op.cit.,* p. 907.

1888, Austro-Hungarian leaders expressed themselves in very negative terms with regards to Romania, its policy in the Central Powers, and even about the attitude of king Charles I. [60] This political and public instability of Romania was debated in Austro-Hungarian and German circles, concluding that it was important to maintain Romania in the alliance, due to its role in the plans of the Central Powers. Thus, Chancellor Leo von Caprivi explained that the Central Powers' plans in the Balkans could collapse and at the same time there could be a grave danger for the Southern border of Austria-Hungary, if Romania left the alliance and got close to Russia. [61] On the other hand, the original purpose of Romania joining the Central Powers was to benefit from the protection which Germany, under Bismarck, could offer. This protection was deemed necessary in order to protect Romania's independence and to ensure its national security. The signing of the treaty with Austria-Hungary was just a step in ensuing this protection. The guarantor of Romania's security always being – in the eyes of King Charles I – Germany. Once Bismarck was dismissed, Romanian leaders were worried by the changes in Germany's policies towards the alliance. In this regard, if Germany ever decided to let Austria-Hungary to take control over the alliance with Romania, Romania would have considered that it no longer had anything to gain, thus the alliance would have been jeopardized.

From the perspective of the international system, Romania's problems with Austria-Hungary coupled with the change in the leadership of the alliance represented reasons for not renewing the treaty. Thus, if these changes took place, the basis for the European system wished for by Romania failed. The primary

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[60] H. Mureșan, *Politica externă a României ….*, p. 206.

[61] *Ibidem,* p. 207.

relations, the common principles underlying the treaty would disappear, therefore – from this point of view – Romania wouldn't have been bound to behave in accordance with what it signed and agreed upon in 1883.[62]

In this regard, Von Bülow and Goluchowski were sent as diplomats to Bucharest to make sure that Romania won't distance itself even more from the alliance. The two diplomats had to convince Romania to renew the treaty with the Central Powers and to prevent any close contact between Romania and Russia. Over the years, Von Bülow became a close adviser to King Charles, who explained that the situation in Transylvanian was a powerful hindrance to renewing the treaty. No matter how much von Bülow and Goluchowski tried to convince Charles I that Romania and the Hohenzollern dynasty had only to gain from this alliance, Charles' mind was not yet made up.[63] Another reason was the customs war. The unpleasant feeling left behind by the customs war was still fresh in the minds of Romanian politicians.[64] Attempts in convincing the Romanian king to renew the treaty were starting to be successful only after Emperor Franz Joseph's letter.[65]

Even after the emperor's intervention in the negotiations, Charles I expressed his view on the treaty by saying that it only had value for Romania as long as Germany was an active participant in the alliance. He also explained to the

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[62] Malcom N. Shaw, *International Law*, Fifth Edition, Cambridge, Cambridge University Press, 2003, p. 6.

[63] Gheorghe Nicolae Căzan, Șerban Rădulescu-Zoner, *op.cit.*, p. 193.

[64] Keith Hitchins, *A nation affirmed: The Romanian National Movement in Transylvania 1860/1914*, București, The Encyclopaedic Publishing House, 1999, p. 300.

[65] H. Mureșan, *Politica externă .. ,* p. 207.

Austro-Hungarian negotiators that no Romanian politician would approve such a treaty considering the events which took place. [66]

To conclude, taking the economic consequences of the customs war and the efforts of Romanians from Transylvania to oppose the policy of Magyarization into account, Romania's decision to renew its treaty with the Central Powers was made more difficult. It's possible that one of the reasons behind the end of the customs war, besides the ongoing demands of Transylvanians to regulate the tariffs, was the unease that this issue could influence Bucharest's decision to renew its alliance with the Central Powers.

[66] *Ibidem,* p. 301.

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5. Gazeta Transilvaniei, nr. 121, din 31 mai/12 iunie, 1890;

6. Gazeta Transilvaniei, nr. 149, 6/18 iulie, 1891.

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The Romanian Army from the guardian of constitutional order to a political actor for its change in Romania on December 30th, 1947

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Dan-Laurențiu Mocanu[*]

Abstract

The study analyzes the role of the Romanian military institution in the process of changing the constitutional regime by removing the Monarchy on December 30, 1947, from two perspectives: its position as guardian of constitutional order, but also that the monarch was the supreme commander of the army. The non-intervention of the army in the events that led to the overthrow of the Monarchy was interpreted in pre-1989 historiography as respecting its status of neutrality to the political struggle in society. It would have been true if there had been a regime of genuine democracy in Romanian society and not a dictatorship in which the army as an institution was subject to transformations that were not in line with traditions or the spirit in which it was formed and educated. All this shaped the military's path from political neutrality to be an instrument in the service of communist leaders.

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Introduction

On December 30, 1947, the leaders of the new political regime established in Romania after the occupation by the Red Army forced King Michael I to sign the act of abdication. Following the instructions from the Soviet leaders,[1] their acolytes from Bucharest proclaimed the Romanian People's Republic, a totalitarian communist state. On January 3, 1948, along with his mother and relatives, the King went into exile. Much has been written about the domestic and international political context in which this event took place in the recent history of Romania, about the impact it had on society and what this fact meant in the future evolution of society.[2]

We intend to highlight the position of the army and its personnel towards the overthrow of the constitutional order because, according to the Constitution, the army's role was to defend it. If the army had remained outside the process of political transformation imposed by Moscow imperialism, then a reaction to it would have been possible within the limits of its constitutional role; but the process of transition to the Soviet-type dictatorship in Romania began with ensuring the control of the communists over the institutions of force and, first of all, the army.[3]

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[1] See the 10-point instructions on the communization of Romania sent by Moscow through Gheorghi Dimitrov to Bucharest on March 7, 1945. Point 5 states "The King's Abdication and the Exile of the Royal Family". More information, Ioan Chiper, Florin Constantiniu, Adrian Pop, *Sovietizarea României. Percepţii anglo-americane*, Iconica Press, Bucharest, 1993, pp. 135-139.

[2] See, among others, Ioan Scurtu, *Monarhia în România, 1866-1947*, Danubius Press, Bucharest, 1991; Mircea Ciobanu, *Convorbiri cu Mihai I al României,* Editura Humanitas, Bucharest, 1997; Radu Ciuceanu şi alţii ed., *Misiunile lui Vîşinski în România. Documente secrete (1944-1947),* INST, Bucharest, 1997; Alexandru Muraru, Andrei Muraru (eds.), *Regele, comuniştii şi Coroana. Adevărata istorie a abdicării lui Mihai I*, Polirom Press, Iaşi, 2017.

[3] Constantin Hlihor, *Armata Roşie în România. Adversar. Aliat. Ocupant. 1940-1948,* vol. I, A.I.S.M., Bucharest, 1996; Florin Şperlea, *De la armata regală la armata populară*, Ziua Press, Bucharest, 2003;

We are aware of the complexity of the historical event whose outcome took place in the afternoon of December 30, 1947, and the question of why the army as a state institution that did not fulfill its role as guardian of order can be obtained by analyzing the transformations imposed by the new leaders in Bucharest. It was the moment when the Romanian army made a fundamental transition in terms of its status to the political decision factor, from the subordinate to the party involved in the political decision. A review of the developments that have generally marked the relationship between the political factor and military leaders in European history allows a better understanding of the role played by the military in changing the constitutional order in Romania, at the end of 1947.

1. *The relationship between military leaders and political power in modern and contemporary society*

The missions and the role played in society by the military institution bore the imprint of the political regime that existed at one time. We will use the concept from the perspective of the operational definition given by Charles Tilly who considers that a political regime is a set of relations between state and citizens, materialized in the relations established between major political actors acting through and on behalf of the public institutions, and social, cultural, civil, religious organizations, etc.[4] This type of relationship appears and manifests itself in modern and contemporary society because, in medieval times, there was no permanent army, so the institution participated in political life as an actor only

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Christophe Midan, *Crearea unei Armate Populare. O perspectivă franceză asupra evoluției forțelor armate române de la 23 august 1944 pînă în 1975,* Editura Militară Press, Bucharest, 2015.

[4] Charles Tilly, *Democracy*, Cambridge University Press, New York, 2007, p. 12.

during external aggression or civil war. With the emergence of modern states, the relationship between the military and civilians in the administration of political power in the state was under the spectrum of the idea that the military institution, as a professional force, performs its functions under the control of the political elite who legally represents the state through a social contract won by free and democratic elections.[5] In literature, the traditional role of the army is presented as being only related to external security, which involves defending the country from foreign threats and, if necessary, engaging in war against other states.[6] In this traditional view, because the military is responsible for external security, the police and other internal security forces are responsible for a country's internal security, and the military should not have a role in internal security. Referring to this, Samuel E. Finer stated decades ago that the military "sees itself only as a fighting force, not as a police force."[7] Exceptions to this rule, existing in all democratic societies, arose when the military elite removed the government and/or the legitimately elected head of state by coup and established a regime of military dictatorship.

Although the degree and reasons for the military's involvement in politics have varied from state to state, there is generally no state in the world in which the military has not been involved in politics in various historical circumstances. In

[5] See, Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations*, MA: Belknap Press of Harvard University Press, Cambridge, 1957; Samuel E. Finer, *The Man On Horseback: The Role of the Military in Politics*, Boulder, Westview, 1988; Morris Janowitz, *Military Institutions and Coercion in the Developing Nations*, IL: University of Chicago Press, Chicago, 1977; Richard H. Kohn, „How Democracies Control the Military", in *Journal of Democracy*, vol. 8, no. 4, 1997, pp. 140-153; Constantin Moştoflei, Petre Duţu, *Armata României şi garantarea democraţiei constituţionale*, Editura Universităţii Naţionale de Apărare „Carol I", Bucharest, 2005.
[6] Samuel P. Huntington, *op.cit.*, p. 1; Samuel E. Finer, *op.cit.*, p. 27.
[7] Samuel E. Finer, *op.cit.*, p. 27.

Romania, the army was a decisive factor in resolving some major political crises of Romanian society in the twentieth century, to name only a few of them: the abdication of King Carol II and the establishment of the Ion Antonescu government;[8] the legionary rebellion of January 1941[9] and the removal of King Michael I from the throne in December 1947.

In modern and contemporary societies, the military has been, with rare exceptions, under political control, a process that is key to the balance of power in the state and must exist in any democratic society. Political control over the military institution has its historical roots in the very *raison d'être* of the modern state in which there is a balance of power and the rule of law. Political control over the military institution is not a purely legislative matter (a task of the parliament or the legislative bodies of international organizations), nor a purely executive one (attribution of the president or government, or similar bodies in the structure of international organizations), but is a problem of democracy and must be seen as a political mechanism. In such situations "a professional army will meet the requirements of the legitimately elected government, regardless of its political colour, respecting the following conditions: properly defined missions, ensuring

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[8] Arhivele Naționale ale României, *Stenogramele ședințelor Consiliului de Miniștri. Guvernarea Ion Antonescu*, vol. I (septembrie – decembrie 1940), ediție îngrijită de M. Ciucă, A. Teodorescu, B. Popovici, Bucharest, 1997 – 1998; Gheorghe Barbul, *Memorial Antonescu. Al treilea om al Axei*, ediție V. F. Dobrinescu, Institutul European, Iași, 1992; George Magherescu, *Adevărul despre Mareşalul Antonescu*, voi. 1-111, Bucharest, 1991; Aurică Simion, *Regimul politic din România în perioada septembrie 1940 - Ianuarie 1941*, Cluj-Napoca, 1976.

[9] Ottmar Traşcă, Ana-Maria Stan, *Rebeliunea legionară în documente străine (germane, maghiare, franceze)*, Albatros Press, Bucharest, 2002; Ioan Scurtu (ed), *Pe marginea prăpastiei, 21-23 Ianuarie 1941*, Vol. 1-11, Bucharest, 1992; Francisco Veiga, *Istoria Gărzii de Fier 1914-1941. Mistica ultranaționalismului*, Humanitas Press, Bucharest, 1995.

specific military expertise for any military action, clear rules on military responsibilities."[10]

If we review the laws and instructions that governed the institution of the army in 1947, we might be tempted to say that the relations between the army and the political leaders who administered power in Romania were within an acceptable framework. A closer look and analysis shows that the society was on the verge of fully establishing a dictatorship regime imposed on society by the Romanian Communist Party (PCR), a political minority in the service of a foreign power[11] and systematically controlled by the institution of advisers[12] and, therefore, the relations between the military institution and the communist leaders were completely atypical and cannot be framed in the logic of the relations that existed and manifested themselves in democratic societies.[13]

Referring to this aspect, the researcher and military analyst Zoltan D. Barany observed that "In countries with a communist regime, the relationship

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[10] Marybeth Peterson Ulrich, *Democratizing Communist Militaries: The Cases of the Czech and Russian Armed Forces*, University of Michigan Press, Michigan, 1999, pp. 108-112.

[11] See, Dennis Deletant, *România sub regimul comunist*, Fundaţia Academică Civică Press, Bucharest, 1997, p. 67-68; Gheorghe Onişoru, *PCR – Evoluţia programului şi practica guvernării, 1944-1947*, in „Anuarul Institutului de Istorie A. D. Xenopol", Iaşi, tom XXIX/1996, pp. 215-238; Marin Radu Mocanu, *Forme şi strategii de comunizare a societăţii româneşti,1940-1950* in „Anii 1949-1953. Mecanismele terorii", Fundaţia Academică Civică Press, Bucharest, 1998, p. 30.

[12] Ioan Scurtu, *Consilierii sovietici din România*, in "Magazin istoric", no. 5/1998, pp. 12-15; T.V. Volokitina, *Cadrele hotărăsc totul*, in "Magazin istoric", no. 10/2004, pp. 25-29; Albina F. Noskova, *Consilierii sovietici: între cerere şi ofertă*, in "Magazin istoric", no. 4, pp. 33-37, no. 5, pp. 8-11, no. 6/1998, pp. 30-32; Luminiţa Banu, Florian Banu, *Consilierii sovietici şi activitatea organelor represive ale regimului comunist din românia (1944-1964)/The Soviet counsellors and the activity of the Romanian political police between 1944-1964*, in "Analele Universităţii Dunărea de Jos", Galaţi, Series 19, Istorie, tom VII, 2008, pp. 197-222.

[13] Timothy Hazen, *Defect or Defend? Explaining Military Responses During the Arab Uprisings*, A Dissertation Submitted to The Faculty of the Graduate School in Candidacy for the Degree of Doctor of Philosophy, LOYOLA UNIVERSITY CHICAGO, DECEMBER, 2016, p. 8 https://ecommons.luc.edu/cgi/viewcontent.cgi?article=3283&context=luc_diss

between the military and politics is totally different. In democratic societies, the role of the military is to protect the state from threats coming primarily from the external environment, while in those where there is a communist regime the army protects the state from internal threats because this regime was not imposed by-elections and does not express a part of the electorate but was imposed from outside, by force. Consequently, these political regimes have no legitimacy. The democratic regime can survive without the support of the army, while the socialist ones cannot."[14] The political system specific to the former socialist states was based on the Marxist-Leninist ideology. Lenin observed that the political minority can only impose itself through terror and military repression[15] so that communist states proved to be more militaristic than democratic ones because their political culture was "dominated by Marxist-Leninist ideology.[16]

The communist leaders did not treat the military in the leadership of the army as partners according to an equal relationship, but only those who came from the nomenclature of the communist party. These were also the main vectors through which the Communist Party controlled the army. Thus the party was always in a superior position in relation to the military institution[17] and exercised political control over the army by introducing party organizations that were led by military personnel from the party nomenclature.[18]

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[14] Zoltan D. Barany, "Civil-military Relations in Communist Systems: Western models Revisited", in *Soldiers and Politics in Eastern Europe, 1945–90: The Case of Hungary,* St. Martin's Press, New York, 1993, p. 6.

[15] V.I. lenin, *Tezele din aprilie*, ediţia a II-a, Editura pentru Literatură politică Press, 1954, p. 7.

[16] Zoltan D. Barany, *op.cit.*, p. 8.

[17] *Ibidem,* p. 10.

[18] *Ibidem*, p. 11.

In the Romanian Army, the process began by incorporating the "Tudor Vladimirescu" and "Avram Iancu" divisions, consisting of Romanian prisoners on Soviet territory, because they had the same organization and structure as Red Army units, including structures and organizations of the Communist Party within them.[19] Based on this model, a process of political indoctrination began in which "military and politico-social education was, for the first time, an integral discipline of general military training in order to obtain from all elements of the army good fighters and conscious citizens, ready to defend the democratic rights won by the people. "[20] In this way, an ideological foundation typical of military training in the Red Army was imposed, in the spirit of Marxist-Leninist principles, using "new methods of training the troops and future personnel, methods corresponding to the ideology on which the People's Army is built."[21]

The leadership of the Romanian Army became dual. Any order signed by a commander had to be countersigned by the political officer. The military was present in the party's power structures from the local level to the top leadership. The Red Army was an effective tool for transforming the armies of the occupied states.[22] In just a few years, not only the structure, organization, and translation of the regulations were copied, but similar equipment was introduced in some states.[23] The Romanian army, like other armies in the countries of the former socialist camp, was to be transformed in accordance with the principles of

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[19] ****Apărarea naţională în concepţia Partidului Comunist Român*, Editura Militară Press, Bucharest, 1982, pp. 67-68.

[20] ****Armata română în primii ani ai revoluţiei şi construcţiei socialiste*, Editura Militară Press, Bucharest, 1975, p. 83.

[21] *Ibidem.*

[22] Constantin Hlihor,*op.cit.*, p. 32.

[23] Zoltan D. Barany, *op.cit.*, p. 18.

organization and functioning of the Red Army. In countries being in the process of communization, "the army and police in socialism do not defend the state as such, since the state is a conservative institution of the past and present. They defend the revolution, the vision of the future, and its supreme visionaries. In a socialist society, these institutions are by definition ideological."[24]

2. *From Loyalty to the Throne and the Country to obedience to the Romanian Communist Party*

To understand why the army, "the guardian of constitutional legality" did not act in any way, on December 30, 1947, to defend the constitutional order and did not defend its supreme commander who was the King, we must analyze how the communist leaders positioned in relation to the military institution after August 23, 1944, and especially how they acted to transform it into an instrument of the "dictatorship of the proletariat". The relationship between the army and the governments that followed each other until the overthrow of the Monarchy and the establishment of the dictatorship was a complex one.

In the first stage, the armed forces were not directly in the eyes of the communists except to the degree that some personnel from the top leadership of the army were accused and subjected to repression as guilty of collaborating with the Ion Antonescu regime and war crimes. On the other hand, there were measures to reward the military who put themselves in the service of the new governments. What happened in Romania during the years of transition to the dictatorship of

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[24] Dejan Jović, *Communist Yugoslavia and Its "Others",* in John Lampe, Mark Mazower, "IDEOLOGIES AND NATIONAL IDENTITIES", https://books.openedition.org/ceup/2438?lang=en

the proletariat can be found in the scheme highlighted by analyst Terence Lee[25] based on a balance between terror and reward. Within these evolutions, the fundamental problem was the process by which the communists destroyed the feeling of duty and loyalty to the Throne and the Country that the Romanian army had imprinted in its mentality and behavior. In Romania studies from this perspective are almost missing from the military literature and are quite a few in the foreign one.[26]

On the other hand, the very notion of loyalty in the academic literature does not have a definition that is operational for any type of army and society. In the opinion of some specialists, this is due to the fact that "most definitions are too restrictive in relation to a broad concept".[27] In the opinion of sociologist James M. Connor, loyalty is an "emotion that is central to the formation of the group and individual identity. It is crucial for social action and operates at different levels or strata." In the Romanian army, this strong emotional connection was created through a careful process of education and attachment to historical traditions. It is one of the major explanations why on August 23, 1944, the Romanian Army immediately and without any defect adhered to the new political and military orientation of the country set by the King's Proclamation to the Country.[28] In an extremely complex military situation, because the Soviet forces did not stop the

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[25] Terence Lee, *Military Cohesion and Regime Maintenance: Explaining the Role of the Military in 1989 China and 1998 Indonesia*, in "Armed Forces & Society", no 32, issue 1, 2005, p. 82.

[26] Simon Keller, *The Limits of Loyalty*,: Cambridge, New York, 2007; Samuel P. Huntington, *op.cit.*; Carl Ceulemans Guy van Damme, *The Soldier and the State: An Analysis of Samuel Huntington's View on Military Obedience Toward Political Authority*, in Professional Ethics, No, 10, 2002, p. 722.

[27] James M. Connor, *Military Loyalty: A Functional Vice?* in "Criminal Justice Ethics", Vol. 29, No. 3, December 2010, p. 279.

[28] Ottmar Traşcă, *23 august 1944. Sfârşitul „camaraderiei de arme" româno-germană*, in "Anuarul Institutului de Istorie «G. Bariţiu» din Cluj-Napoca", tom. XLV, 2006, p. 218; Mircea Ioanniţiu, *Amintiri şi reflecţiuni*, Editura Enciclopedică Press, Bucharest, 1993, pp. 84-85.

offensive, the Romanian army broke away from the German device and began military actions against the Wehrmacht. This loyalty was to be regarded as a unique event in the history of World War II.

Significant in the sense of loyalty to the monarchy and the state was, immediately after August 23, 1944, the attitude of the commanders of the 3rd and 4th Romanian armies on the Moldavian front, Generals Petre Dumitrescu and Ilie Șteflea, who, being asked by General Hans Friessner (commander of the "Southern Ukraine") through the liaison officer Colonel Nicolae Ivanescu, if they would listen to the new government, they replied: "categorically and clearly that they will give all the support to the King, the Country, and his Government."[29] The statement from the Wehrmacht High Command's operations log was also definitive in connection with the failure of attempts by German officials to provoke splits in the army's command corps, according to which no means could be found against the King and the new government. Not found any army members or generals for another new counter-government.[30]

But this state of loyalty, considered natural for an elite institution with great prestige in society, began to be "attacked" by communist leaders with the entry of Soviet troops in Romania. De facto under the occupation regime of the Soviet Union, Romania, although part of the United Nations coalition after August 23, 1944, no longer controlled its destiny. The Red Army and the Soviet secret services, primarily the NKVD, launched a large-scale offensive to destroy the image of state law enforcement institutions for discrediting them in public opinion through the

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[29] Alesandru Duțu, *Armata română în război (1941-1945)*, Editura Enciclopedică Press, Bucharest, 2016, p. 312.
[30] *Ibidem*.

so-called process of decommissioning state institutions. The historian Mihai Teodor Nicoară, referring to these aspects, pointed out that in Romanian society "anti-fascism acquired a destructive significance in the period after 1944, becoming a justification for the elimination from public life, from institutions, including universities, of those who served, sympathized or were suspected of sharing fascist ideas."[31] Thus, "revolutionary" fascism and anti-fascism, two political currents that haunted the society of those years, "divided the Romanian political scene into two camps, one of Good and the other of Evil. The reconstruction of the country could only be done with "new" people, those compromised in past regimes, regardless of the intensity of their guilt, had to be removed from the public scene."[32]

This phenomenon also manifested itself intensely among the Romanian army with a devastating effect on the traditional loyalty of the institution. The phenomenon was also potentiated by the political factor of the Soviet occupier, which also introduced the propagandistic theme of the class struggle in which, under an extremely simplistic propaganda slogan, the army was to be an instrument of the class struggle. The statement of Andrei I. Vishinski, the People's Commissar for Foreign Affairs of the USSR and the determining factor in the imposition of the government of Petru Groza on March 6, 1945, seems emblematic of the role of the military institution in consolidating the communist totalitarian regime under the broad propaganda cover of Marxism: "dictatorship of the

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[31] Mihai Teodor Nicoară, *Defascizarea Universității „Regele Ferdinand I" din Cluj (1944-1946): Epurările și comprimările corpului didactic,* in "Annals of the University of Bucharest / Political science series", 11, p. 78, https://www.ssoar.info/ssoar/bitstream/handle/document/37862/ssoar-annunivbuch-2009-nicoara-Defascizarea_Universitatii_Regele_Ferdinand_I.pdf?sequence=1&isAllowed=y&lnkname=ssoar-annunivbuch-2009-nicoara-Defascizarea_Universitatii_Regele_Ferdinand_I.pdf
[32] *Ibidem.*

inevitably exempt exploiters from the benefit of freedom"[33] and, as a result, any means of eliminating them are allowed and organized even by the state: "the state means armed men and material appendages, i.e. institutions, bodies, all the rules of state tactics and strategy."[34] Even if sometimes, in certain historical periods, due to internal and external circumstances, the repression is somewhat diminished, said Vishinski, "the constraining side of the dictatorship of the proletariat cannot be set aside even in the relatively peaceful period of socialist construction. Coercive bodies, the **army,** and other institutions are just as necessary now, at the time of construction, as in the time of the civil war. Without these bodies, the constructive activity of the dictatorship cannot be ensured."[35]

These ideas that founded the Soviet dictatorship regime were also exported to Romania as a country occupied by the Red Army and put into practice by Romanian communist leaders aided by advisers sent to the country by the Kremlin. Sovietization, as a process, targeted the entire society and institutions that existed at the time of the Soviet occupation. It was caused by terror and extreme political pressure, and the fraud of the elections in November 1946 had the role of masking, under the guise of legitimacy, a regime that has all the powers of a foreign occupation: the presence of Red Army troops on the territory, a puppet government responsible for any Moscow's demands, even to the detriment of the national interest, the restriction of civil rights and freedoms, the prohibition of the assertion of national identity and the arrest of political opponents.

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[33] A.I. Vîşinski, *Lenin, marele organizator al statului sovietic*, Bucharest, Editura PCR, 1945, p. 24, *apud* COMISIA PREZIDENŢIALĂ PENTRU ANALIZA DICTATURII COMUNISTE DIN ROMÂNIA. RAPORT FINAL, Bucharest, 2006, p. 167, https://www.wilsoncenter.org/sites/default/files/RAPORT%20FINAL_%20CADCR.pdf
[34] *Ibidem.*
[35] *Ibidem.*

In totalitarian political regimes, the military institution represents, together with the "political police" (intelligence services, internal order apparatus) the "armed arm" of ideology and the instrument through which the Party ensures the stability of the regime and total control over society. Thus, for a political regime to stay in power, it must be able to meet certain conditions.

Analytical models were developed by Hannah Arendt, [36] Carl J. Friedrich, and Zbigniew Brzeziński[37] to understand and study totalitarian regimes. They identified the main features of totalitarianism, highlighting six basic elements that are found, mandatory (although they may have varying degrees of intensity) in any society where such a type of political regime has operated:[38]

1. An official ideology consisting of a body of doctrine covering all vital aspects of human existence, to which the whole society is obliged (at least formally) to adhere;

2. A single mass party consisting of a relatively small share of adherents in the total population (up to 10 per cent) organized in a rigid hierarchy and led by a leader with full powers;

3. Absolute monopoly over state law enforcement institutions (army, intelligence services, Ministry of Interior); thus, the army belongs to the regime and must defend the "revolutionary conquests;"

4. A similar monopoly on all means of propaganda and mass information (press, radio, television, etc.); they play a key role in maintaining ideological control over society;

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[36] See Hannah Arendt, *The Origins of Totalitarianism*, Penguin Books, London, 2017.
[37] See Carl J. Friedrich, Zbigniew Brzeziński, *Totalitarian Dictatorship and Autocracy*, Harvard University Press, Cambridge, Mass., 1956.
[38] Carl J. Friedrich, Zbigniew Brzeziński, *op.cit.*, pp. 10-11.

5. A system of police control directed not only against the obvious opponents of the regime but also against arbitrarily chosen social categories;

6. A centralized economy, in which private initiative is an exception and it is accepted only in special situations.

As it can be seen, the third element aimed at an essential transformation of the army through the mission of being the guardian of the "revolutionary conquests" which involved political engagement in the power struggle and not a position of neutrality as history has enshrined in the evolution of western society. Such a vision can also be found in the former Yugoslav communist leader Milovan Djilas. In his work "New Class", he considered that there were two essential methods by which the Party's total control over the state apparatus was ensured. The first would be the basic political organization, as the main method of capturing state structures, and the second involves entrusting government positions only to party members. "These positions, Djilas points out, are essential in any government, but especially in the communist one, and include appointments in the police, especially in the secret police, in the diplomatic and officer corps, especially in special positions in political and intelligence services."[39]

In the midst of the Sovietization process, the military overcame its status of political neutrality in the November 1946 elections. Up to that point, the army respected, broadly, its political impartiality because according to the personnel in charge, the institution was considered to belong to the country and not one political party or another. Exceptions for violating the status of neutrality also existed in the interwar period. The General Staff through several orders sent to the

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[39] Florin Șperlea, *De la armata regală la armata populară*, Ziua Press, Bucharest, 2003, p. 74.

subordinate units discouraged officers from taking an interest in politics.[40] Despite the army as an institution being officially politically neutral, however, some officers disliked the politics of the Military General Staff and, during the election campaigns they were actively involved in politics.[41] According to an informative note addressed to the Ministry of War during the 1928 Romanian Parliamentary Elections, for example, Lieutenant Mărăcineanu took part in an electoral political meeting of the National Peasant Party, which was organized in the city of Timişoara.[42] Other officers have attended the National Peasant Party election meetings in Dorohoi city.[43]

In the 1946 elections, the army's intervention in the electoral struggle could no longer be considered an accident because in July 1946 an electoral law was passed that granted to the military the same political rights as other citizens with the right to vote. By this decision, the Communist Party institutionalized the intense propaganda carried out in its favor by the political workers from the Romanian army. "The army must do politics," said War Minister Constantin Vasiliu-Rășcanu himself. The vote of the army had to prove to everyone its new orientation. During the election campaign, politicians from the Bloc of Democratic Parties (BPD), which included the PCR, were accompanied by commanders of military units, organizing talks with the band and artistic demonstrations by which soldiers were "clarified" to vote for the BPD.[44]

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[40] ***Arhivele Militare Naționale, fond 950, Cabinetul Ministrului, dosar 116, f. 437, citat în Constantin Hlihor, *Romania. Military and Politics in the Interwar Period,* in Proceedings. The 14th International Scientific Conference „Strategii XXI", vol. 2, Bucharest, April 2018 pp.159-168.

[41] ***Arhivele Militare Naționale, fond 950, Cabinetul Ministrului, dosar 116, ff. 183; 226, pp. 308-309.

[42] *Ibidem*, f. 116.

[43] *Ibidem*, f. 308.

[44] Florin Mihai, *Un dezertor în fruntea Ministerului de Război*, in https://jurnalul.ro/scinteia/istoria-comunismului/un-dezertor-in-fruntea-ministerului-de-razboi-113359.html

For example, the commander of the 2nd Infantry Division, Constantin Bădescu, eloquently addressed the assembled subordinates in order to communicate to them how to vote:

> "Soon we will all go and say our word at the polls. Yes! We will say it bluntly in support of the BPD. I don't want to hear that there is an officer, non-commissioned officer, or troop in my division who feels different from me!"[45]

Through this kind of action, multiplied in a short time, the imposition, in Romania, of the social system of the USSR, which Stalin defined in April 1945 as a political regime dictated by the military reality of the occupation, was achieved. The essence of the Stalinist doctrine of Sovietization was stated by the Kremlin leader at his meeting with Tito in April 1945:

> "In this war, it is not the same as in the past, but the one who occupies a territory imposes his social system. Each imposes his system where his army ends up. It can't be otherwise! "[46]

Being the only institution capable of opposing the country's communization with a weapon in its hand, which can considerably complicate this process and create a negative image of Stalin himself in international public opinion, the country's army would be the target of an aggressive campaign to

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[45] *Ibidem.*
[46] Milovan Djilas, *Întâlniri cu Stalin,* Europa Press, Craiova, pp. 74-75.

change its conceptual foundation, starting from the first moments when Romania and the Soviet Union had become allies. This process of liquidating the army together with the values, the mentality, and everything that represents an elite institution was called "democratization".

Underlining the need for the formation of the "new corps" and the principles that should guide this action, the Prime Minister, Dr. Petru Groza, said: "The issue of army personnel concerns us with all seriousness. At the base, we have the principle of a new conception, a new discipline, and a new hierarchy, based on the superiority of skill in military art, springing from the unity of interests between the leadership and the people. **Promoting in leadership positions healthy and democratic elements that are distinguished both by love for the people** (emphasis added) and by knowledge of military art. "[47]

Under these principles and on the basis of a covering legislation, a dramatic process took place, of eliminating the old formation, educated in the spirit of the Romanian military traditions, which distinguished themselves in the war of liberation of Bessarabia and northern Bukovina and those with opinions anti-Russian, anti-government, anti-communist. Officially, they entered the process of purging the army of "fascist elements", put into practice, starting with March 7, 1945, by order of Marshal Malinovski and General Vinogradov of the Allied Control Commission for Romania.[48]

The process continued at an accelerated pace, General Constantin Sănătescu, former Prime Minister and Chief of Staff, noting on August 8, 1946 (at

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[47] Dănuț Mircea Chiriac, *„Democratizarea" armatei regale în procesul trecerii României la regimul totalitar de stânga (1944-1947)*, in „Polis", Volume VI, No. 2 (20), Serie noua, March – May 2018, http://revistapolis.ro/7442/

[48] Constantin Hlihor, *op.cit*, p. 171.

that time he held the position of Inspector General of the Army) that the king signed the decree on the transfer of "1,000 officers considered by the current government to be reactionary, that is, clearly against communism (…) are among the most capable, and despite the King's opposition, they could not be kept in the army, as the Russians intervened at the request of the communists to remove them immediately."[49]

In fact, with the establishment of the Groza government on March 6, 1945, in the following years, officers loyal to the Party would be installed in the position of Minister of Defense: generals Constantin Vasiliu-Rășcanu, Mihail Lascăr, and the "civilian" Emil Bodnăraș.

Political analyst Vladimir Tismăneanu states that the appointment of Bodnaraș as Minister of Defense in November 1947 was a move carefully thought out by Moscow to ensure socio-political peace in the country, considering the final blow to the constitutional monarchy:

> "Certainly, the appointment of a deserter, convicted of treason, at the head of the Romanian army was a colossal insult to the tradition of this fundamental institution of the Romanian state. Such a decision could only be made by Stalin himself. So it was not Dej and Ana Pauker who called Bodnăraș, but the imperial power."[50]

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[49] Constantin Sănătescu, *Jurnal*, Humanitas Press, Bucharest, 1993, p. 232.

[50] Vladimir Tismăneanu, *Cine a fost Emil Bodnaras? Spion rus, stalinist national si dinozaur leninist*, May 3, 2014, http://www.contributors.ro/global-europa/cine-a-fost-emil-bodnaras-spion-rus-stalinist-national-si-dinozaur-leninist/

Therefore, on December 30, 1947, the Romanian Army had become an institution entirely loyal to the Communist Party and its leadership, a loyalty that would be maintained until December 22, 1989. And yet, for communist leaders to be absolutely sure that the process would proceed quickly and efficiently, the abdication of King Michael I was done under the supervision of "the most loyal of the loyal", the soldiers of the "Tudor Vladimirescu" Division who, along with those of the "Horia, Cloșca and Crișan" Division, that formed the backbone of the Romanian People's Republic army.

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The estimates of the Central Intelligence Agency during the second Berlin Crisis

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Keywords: Cold War, Central Intelligence Agency, Berlin Crisis, Berlin Wall, Allied-occupied Germany, Soviet Union-United States Relations.

Abstract

After the Second World War, the city of Berlin, like Germany, was divided into four zones of occupation, with the Allied powers taking the west part of the city and the Soviets taking the eastern section. Located 177 kilometers from the border with West Germany and deep inside of East Germany, the western sector of Berlin became an island of capitalism and democracy within the communist German Democratic Republic. Holding an important strategic role, Berlin had been a constant source of tension in East-West relations during the Cold War. After the leader of the Soviet Union, Joseph Stalin, tried to blockade the Western occupied sectors by closing off all the land routes into the city, his successor, Nikita Khrushchev, started a new crisis over Berlin by forcing the West to transform West Berlin into a demilitarized „free city" and recognize the GDR. This paper examines the CIA's view of the events during the Berlin Crisis that culminated with the building of the Wall,

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highlighting how the US intelligence agency analyzed Soviet behavior. The estimates of the CIA provided a new perspective on the Berlin question, the anticipation by the CIA of the possible tactics that the communist regime could carry out in Berlin offering new details about the West's perception of the Soviets. The US intelligence agency was not only a secret service of a state whose role was to collect information but, moreover, it was an essential part of the US political apparatus at a time when a good knowledge of the opponent's intentions could radically change future political decisions.

The division of Germany and the role of the Central Intelligence Agency in Berlin

With the defeat of Nazi Germany, the main purpose of the Allied powers was to contain and prevent renewed German aggression. In the first discussions that occurred between the Big Three, soviet leader Joseph Stalin, British Prime Minister Winston Churchill, and U.S. President, Franklin D. Roosevelt, numerous schemes circulated for the post-war order, envisaging a change in the balance of power in Europe, the breakup of German industrial power and the possible dismemberment of Germany.

Holding an important strategic position within the German state, the capital of Germany, Berlin, was the administrative, political and economic center of the Reich. With a population of 4,338, 756 inhabitants before the war, 600. 000 of them working in factories, the city produced almost a tenth of the total German production. After five years of war, the city's population reached 2,807,405 inhabitants, 40% of the buildings were destroyed along with electricity, public transport, and sewerage systems.[1] Nevertheless, the German capital continued to

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[1] Frederick Taylor, *The Berlin Wall: A World Divided 1961-1989*, New York, Harper Collins, 2008, p. 4.

have more than a symbolic value in European geopolitics. Aware of the city's potential, British Prime Minister, Winston Churchill, believed that the possibility of capturing and controlling Berlin would be an important strategic measure after the end of the war, playing a key role in limiting post-war Soviet influence. The Americans, however, did not initially notice what Berlin represented, the commander of the United States forces, Dwight D. Eisenhower, refusing to involve the army and risk losses for a military objective that he considered secondary.[2]

After years in which the Nazi armed forces spread violence throughout the European continent, the most destructive war ever fought has reached home to the Reich. The Soviet army occupied Berlin in April 1945, imposing unilateral control for ten weeks, until the arrival of the other Allied troops, which in turn occupied a sector of Berlin. Defeated and without a government or any other authority that could have accepted responsibility for maintaining order, the country was going to be splitting into occupation and its capital was to be administered by a separate regime of joint occupation.

The official division of Germany into control zones took place on 5th of June, 1945, with the signing of the Berlin Declaration by which the four commanders of the Allied powers, Dwight D. Eisenhower, Sir Bernard L. Montgomery, Georgi Zhukov, and Jean de Lattre de Tassigny, assumed the supreme authority over the German territories. The United States occupied the Southern part of Germany, Great Britain the Northwest, France the Southwest, and the USSR the Eastern part.[3]

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[2] William Stivers; Donald A. Carter, *The City Becomes a Symbol: The U.S Army in the Occupation of Berlin 1945-1949*, Washington D.C, Center of Military History U.S. Army, 2017, p. 12.
[3] „Declaration Regarding the Defeat of Germany and the Assumption of Supreme Authority by Allied Powers; June 5, 1945", in *The Avalon Project: Documents in Law, History and Diplomacy* https://avalon.law.yale.edu/wwii/ger01.asp.

At the same time, the city of Berlin was to have a special status within the occupied German state, now devoid of sovereignty. Thus, Berlin was initially divided into three sectors: the British and American forces took control of the Western half of the city, while the Soviet Union occupied the eastern half. At the insistence of the Anglo-Americans, a fourth occupation sector was created in the Northwestern part of the city, under French jurisdiction. Each of the occupying powers appointed a commander for its sector, which was also part of the Inter-Allied Control Council, which exercised the administrative control of the city. This Council was known as the Kommandatura.[4]

Despite the semblance of unity over Berlin, the wartime coalition was already beginning to fracture. The city of Berlin, located within the soviet sector and with its Western area occupied by the Americans, British and French, seemed to be a Western enclave within the socialist bloc since, shortly after imposing control, the Soviets began to transform East Germany into something similar to the satellite states of Eastern Europe. As Berlin remained a territory surrounded by the USSR, the Allies were dependent on the Soviets for access to the city, and the lack of a guarantee on land access remained a weak point in the occupation of West Berlin by the Western powers. Given this vulnerable position of the city, there was no formal agreement guaranteeing ground access of the Allied powers to the city. Only concerns regarding aviation safety led to the conclusion of an agreement between the four states of the Allied Control Commission on the 30th of

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[4] Giles Macdonough, *After the Reich: The Brutal History of the Allied Occupation*, New York, Basic Books, 2009, p. 199.

November, 1945, establishing several air corridors linking Berlin to Hamburg, Hanover, and Frankfurt.[5]

So, after the inter-Allied discussions on initiating monetary reform inside Germany failed and the Moscow's growing intransigence within the Kommandatura led to its withdrawal from the Control Commission[6], the tension between the Soviet Union and the Western powers started to rise in Berlin. When the Soviets imposed the Berlin Blockade, on the 24th of June, 1948, which last almost 11 months and witnessed the greatest airlift of material the world has ever seen, the line dividing the East and West Berlin has become, both physically and symbolically, the front line of the East-West conflict. Even though West Berlin was incorporated into the newly formed Federal Republic of Germany in May 1949, its status continued to be a thorny issue for many years.

Because it was a democratic enclave inside the communist bloc, Berlin was at the center of the intelligence war between the United States and the Soviet Union. In July 1945, with the Western occupation, American intelligence services were settled in the city. Office of Strategic Services (OSS), the United States intelligence agency that operated during the Second World War, landed at Berlin's Tempelhof Airport ready to monitor the possible German revenge. What they reported were checks on Germans who were considered worthy of serving in the future German government, the activities of the new trade unions, actions by the local officials, and occasional acts of violence by Nazis were hard to catch.[7]

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[5] „Control Council Approval of Air Corridors, 30 November 1945", in *Politics and Government in Germany, 1944-1994: Basic Documents*, New York, Berghahn Books, 1995, p. 10 https://bit.ly/2AT4aWy.
[6] Roger Miller G., *To Save a City: The Berlin Airlift, 1948-1949*, Washington D.C., U.S Government Printing Office, 1998, p. 18.
[7] David E. Murphy; Serghei, A. Kondrasev; George, Bailey, *Battleground Berlin: CIA vs. KGB in the Cold War*, New Haven, Yale University Press, 1997, p. 11.

Made up of few professionals and with limited administrative resources, at the beginning of settling in Berlin, the American intelligence system seemed to have an unstable future. But the transformation, in October 1945, of the OSS into the Strategic Services Unit (SSU), which would be assimilated in 1946 by the Central Intelligence Group (CIG) and, unlike previous organizations of its kind, was granted the authority to conduct independent research and analysis, changed the character of the intelligence services. Within months of its creation, CIG became the nation's primary agency for strategic warning and management of clandestine activities abroad. President of the United States, Harry S. Truman soon recognized the need for a new, fully functional post-war intelligence organization. So, in 1947 he signed the National Security Act, establishing the Central Intelligence Agency (CIA)[8], the first U.S. civilian secret service to operate in peacetime.

The CIA was organized into various departments that closely monitored the activities of the adversaries. The Office of Special Operations was responsible for collecting intelligence, and the Office for Policy Coordination was the hidden arm of the agency. The two merged in August 1952 to become the Directorate of Plans. Thus, in the early 1950s, the CIA was separated into four core components: Directorate of Operations/Plans, Directorate of Intelligence, Directorate of Science & Technology, and Directorate of Support.[9]

An important role during the Cold War was played by the Office of Reports and Estimates which produced short-term evaluations of events on the political

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[8] „History of CIA", in *Central Intelligence Agency* https://www.cia.gov/legacy/cia-history/
[9] Richard C.S Trahair; Rober L. Miller, *Encyclopedia of Cold War Espionage, Spies, and Secret Operations*, New York, Enigma Books, 2004, p. 53.

scene, current reports, and even some predictions. This activity was later conducted by the Office of Current Intelligence. Their reports about the political climate in East Berlin, as well as the alleged tactics of Soviets which the CIA was trying to anticipate, provided a relatively clear picture of possible events that could take place. A report of the CIA, from 1948, confirms the CIA's ability to carefully analyze a problem and sometimes manage to predict its consequences. On the 16th of March, 1948, CIA Director Richard Helms sent President Truman a memorandum examining the recent Soviet action to reorganize the East German government and the possibility of the Soviets forcing the occupying Western powers to leave Berlin. As the Soviet Union expects the US, Great Britain, and France not to leave the city, it would probably use military means which may include blocking transport and travel to Berlin, a „malfunction" of electricity, and a reduction in the supply of food coming from the Soviet zone, among others.[10] Two months before the Soviets imposed the Berlin Blockade, the CIA was able to anticipate how the Soviets would react to the introduction of the new currencies by the Allied powers.

The outbreak of the second Berlin Crisis

On the 10th of November, 1958, Nikita Khrushchev, the First Secretary of the Communist Party of the Soviet Union from 1953, declared in front of a group of Polish communists, come to Moscow to celebrate the 41st anniversary of the Bolshevik Revolution, that he intended to denounce a series of agreements

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[10] „Memorandum for the President 16 March 1948" in Donald P. Steury (ed.), *On the Front Lines of the Cold War: Documents on the Intelligence War in Berlin*, 1946 to 1961, Washington, D.C., CIA History Staff, Center for the Study of Intelligence, 1999, p. 145.

concluded after the Second World War which had been the reason for the fragile stability in Europe. He wanted, unilaterally, to change the quadripartite status of Berlin, withdrawing all military forces from the city and normalizing the situation in Germany, which could only be done by signing a peace treaty. The Soviet leader also considered that German militarism, which wanted to be eradicated after the war, was now more present than ever since West Germany had joined NATO and owned the American missiles that could be equipped with nuclear warheads.[11] His speech was followed by a diplomatic note sent to the Western powers, on the 27th of November. In his note, Khrushchev stated that if the Allied powers do not start negotiations with the Soviet Union for the preparation of a peace treaty with the German Democratic Republic, which Khrushchev had recognized in 1955, and transform West Berlin into a demilitarized free city within six months, the Soviets will hand over their responsibilities regarding Berlin, especially the control over the western access routes between West Germany and West Berlin, to the East-German government.[12]

West Berlin posed a threat to the Soviets and East Germans. First of all, after the border between East and West Germany had been closed in 1952, West Berlin became the crossing point to West Germany. If anyone wanted to leave the GDR, but he did not dare to cross the new defended frontier, he just had to get to Berlin. Between 1952 and 1953, 513,783 people left GDR because the living

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[11] „Address by Premier Khrushchev at a Soviet-Polish meeting, on Germany and Berlin, November 10, 1958" in *Documents on Germany, 1944-1959: background documents on Germany, 1944-1959, and a chronology of political developments affecting Berlin, 1945-1956*, Washington D.C., United States Government Printing Office, 1959, p.310 https://bit.ly/3ds1Nra.

[12] „Note from the Soviet Foreign Ministry to the American Ambassador at Moscow (Thompson), regarding Berlin, November 27, 1958" in *Documents on Germany, 1944-1959...* https://bit.ly/2Yuffqs.

standards of the East Germans had fallen substantially since 1947.[13] Economic problems, caused by the high spending on the heavy industry sector, led to an East German deficit of 700 million marks in 1952.[14] The plan of the East-German leader, Walter Ulbricht, *Aufbau des Sozialismus* (Building socialism), determined the increase of the refugee flow. His plan, which he wanted to be completed by 1965, was aimed at overtaking West Germany in the production of consumer goods, improving the economy to which the USSR contributes by canceling annual payments for the maintenance of Soviet occupation forces, and the introduction of the communist doctrine in schools.[15] Because some professions were much more exposed to the political sanctions than others, repression of the intellectuals and the middle class led to their exodus to the West. In 1958, more than 250 professors, 2 393 teachers, and 813 doctors, which accounted for almost 8% of all GDR doctors[16], left the East and this led not only to an economic gap but also to a weakening of the quality of the education and the health systems. Even with the adoption of the new GDR passport law on the 11th of December, 1957, which introduced severe punishments for the *Republikflucht* (flight from the Republic), West Berlin continued to be the main gateway.

Secondly, besides the refugee problem which caused a drain on the East German economy, West Berlin was a base of espionage. Due to its open border with the East, recruiting and leading spies was an easy task because any East German or Soviet could reach West Berlin. For a period of time, there were enough

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[13] Manfred Wilke, *The path to the Berlin Wall: Critical Stages in the History of Divided Germany*, New York, Berghahn Books, 2014, p. 49.

[14] Frederick Taylor, *op. cit.*, p. 77.

[15] „Current Weekly Intelligence Summary: The internal situation in East Germany, 11 December 1958", in Donald P. Steury (ed.), *op. cit.*, p. 422.

[16] *Ibidem*, p. 423.

streets that allowed free movement between the two halves of the city, only at some of the largest streets being installed checkpoints.[17] Many of whom arrived in West Berlin were to be recruited as intelligence agents. Although they often agreed to spy for ideological reasons, they also accepted because they were granted material benefits such as the ability to obtain a visa and work in another state. Khrushchev and Ulbricht wanted to put to end the „subversive work of the West Berlin espionage and sabotage centers".[18] For them, West Berlin was a „center of hostile activity against the GDR and other socialist countries", a threat to the stability of East Germany.

To discuss the issues raised by the ultimatum, the Western powers met in Paris in December 1958. The foreign ministers of the Allied powers reaffirmed their determination to maintain their position and rights in Berlin, considering it unacceptable to transform West Berlin into a so-called „free city".[19]

Meanwhile, CIA analysts took very seriously any apparent attempts to undermine the Western rights in Berlin. A report of CIA, from December 1958, asserted that the Soviet leader would probably intend to be cautious, trying to avoid a military conflict with the Allied powers, but, at the same time, he would be ready to take advantage of any sign of weakness that Westerners would have.[20] Moreover, according to the report, the Soviets, almost sure, did not expect the

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[17] Paul Maddrell, *Spying on Science: Western Intelligence in Divided Germany, 1945-1961*, New York, Oxford University Press, 2006, p. 122.

[18] „Walter Ulbricht's speech at the Moscow Conference, 3 August 1961", in *Digital Archive International History Declassified, Berlin Wall Collection*, Woodrow Wilson Center https://digitalarchive.wilsoncenter.org/document/116211

[19] „Four-Power communiqué on Berlin, December 14, 1958", in *Documents on Germany, 1944-1959..*, p.333 https://bit.ly/2NzM7bf

[20] „Special National Intelligence Estimate: Soviet Objectives in the Berlin Crisis" in Donald P. Steury (ed.), *op. cit.*, p. 429.

Western powers to accept the proposal from the 27th of November to transform Berlin into a „demilitarized free city", some forms of negotiation with Westerners being possible before offering their functions to the East Germans. Thus, according to the CIA, it was unlikely that the USSR would make any hasty move and it was possible for the Soviets to propose a summit, where the Soviets would try to get the Allied powers to accept agreements that would include some features that seem more attractive to the Western opinion, like a demilitarized city of Berlin under United Nations guarantees, perhaps even with a UN observer present in the city.[21]

What followed was in line with the expectations of the CIA. On the 10th of January, 1959, USSR sent a note to the Allied powers in which Khrushchev withdrew his ultimatum and called for a conference, to take place in Warsaw or Prague, to conclude a German peace treaty and discuss the situation in Berlin. This showed the Soviet's intentions to negotiate. A draft peace treaty was attached to the note and included 11 basic stipulations. Among them were a neutral Germany, the recognition of the two German states by the West, the participation of the two German states in the negotiations, withdrawal of troops from Germany, a ban on Germany to produce and possess nuclear weapons or other instruments of mass destruction and to participate in a military alliance aimed at one of the signatory countries, and, finally, the demilitarization of the free city of Berlin until the unification of the German state.[22]

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[21] *Ibidem*, p. 430.
[22] „Current Intelligence Weekly Summary: The Berlin Situation, 15 January 1959", in Donald P. Steury (ed), *op. cit.*, p. 435.

The president of the United States, Dwight D. Eisenhower, responded to the note as Khrushchev had partially hoped. The Soviet leader wanted to prove, also, in a summit with the democratic powers, the fact that Western views on the failure of the post-Stalinist leadership were false and the new leadership was firm and had more unity and support than ever before.[23] The American president signed the agreement to hold a meeting with the four foreign ministers in Geneva, in which the representatives of East and West Germany would participate as observers.

The Geneva Conference turned out to be a failure due to the contradictory opinions that the four powers had. During the conference, the CIA tried to estimate what would be the actions of the Soviets if the Geneva Conference would end without any result. According to a report from June 1959, if the Soviets allowed the conference to end without a final decision on Berlin it is because the USSR believes that a period of additional pressure would determine the Western powers to make substantial concessions.[24] One of the measures that the Soviets could take to enforce these pressures was, in the opinion of the intelligence agency, concluding a peace treaty with the GDR and, simultaneous, transfer of access control in Berlin to East Germans and, also, applying some access restrictions to test the determination of Western powers and increase tensions. Moscow, even before Khrushchev's ultimatum, had made some moves to hand over access control to the East German authorities, all railway installations being already owned by the GDR government in 1959. Furthermore, civilian traffic was

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[23] Vladislav M. Zubok, *A failed empire: The Soviet Union in the Cold War from Stalin to Gorbachev*, Chapel Hill, The University of North Carolina Press, 2007, p. 106.

[24] „Soviet Tactics on Berlin, 11 June 1959", in Donald P. Steury, *op. cit.*, p. 503.

completely under East German control, West Germans on their way to Berlin or coming from Berlin being forced to present their passport or ID card.[25] Therefore, the East Germans already had the approval of the Soviets to isolate West Berlin from the transport networks to limit travel from East Germany to the western sectors. Handing over the functions held by the USSR to the East German authorities by a treaty was ultimately only a formal matter.

Even if no agreement could be reached at Geneva, Khrushchev and President Eisenhower held a discussion at Camp David where they agreed to reopen negotiations on Berlin. During their meeting, the US president said that the United States did not want to perpetuate the occupation regime and although he did not know precisely how the Berlin question could be resolved, he had hoped to set up a friendly atmosphere in which negotiations could be conducted. The Soviet position on Berlin had created a difficult situation and, therefore, it was necessary to find a reasonable solution.[26] In turn, Khrushchev said that the Soviet Union did not want to take any unilateral action and that he wanted to solve the German problem together with the United States in the friendliest possible manner.[27]

Khrushchev was offered a new opportunity to raise the issue of Berlin with Allied powers at a summit in Paris that brought together the Soviet leader, the American president, the British Prime Minister Harold Macmillan and the

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[25] „Current Intelligence Weekly Summary: Communist tactics against West Berlin, 5 February 1959", in Donald P. Steury (ed.), *op. cit.*, pp. 450-451.

[26] „Memorandum of Conversation, Camp David, September 26, 1959 ", in *Foreign Relations of the United States, 1958–1960, Volume X, Part 1, Eastern Europe Region; Soviet Union; Cyprus, Document 130*, Washington, D.C., U.S. Government Printing Office, 1993, p.464 https://history.state.gov/historicaldocuments/frus1958-60v10p1/d130

[27] *Ibidem*, p. 465.

president of France, Charles de Gaulle. But, once again, Khrushchev failed to make use of the opportunity. Eight months after Khrushchev's visit to the United States, an American U-2 spy plane was shot down, in the Ural Mountains, by the Soviet Air Forces while performing photographic aerial reconnaissance deep inside the Soviet territory. Just five days before the Paris summit, Eisenhower admitted, after initially denying it, that he had personally approved the U-2 flight with Garry Powers as its pilot because the secret actions of the Soviets made it impossible to assess Moscow's intentions and capabilities.[28] Questioning the integrity and peaceful intentions of the American president, Khrushchev decided to propose a six to eight-month postponement of the conference and to be resumed only after Eisenhower was no longer in power. The Soviets chose to publicize the U-2 incident being, undoubtedly, aware that this action could have consequences for the conference.[29] Khrushchev's decision to exploit the crash of the American spy plane had, however, several sources: first of all, it was a way to make the Americans give up leading the air reconnaissance missions to the USSR and, second of all, offered the Soviet leader the opportunity to confront his opponents and critics within the communist bloc. For instance, in late March and April, a Chinese publication wrote two major articles which were highly critical of Soviet foreign policy.[30] The fact that Khrushchev was negotiating with the Americans was in the view of the Chinese a „betrayal of communism". Thus, for the Soviet leader,

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[28] „Statement by the President regarding U-2 incident, May 11, 1960" in *National Archives, Dwight D. Eisenhower Library* https://www.eisenhowerlibrary.gov/sites/default/files/research/online-documents/u2-incident/5-11-60-statement-by-president.pdf

[29] „Report Prepared in the Bureau of Intelligence and Research, „Analysis of soviet behavior at the Conference", in *FRUS, 1958–1960, Berlin Crisis, 1959–1960; Germany; Austria, Volume IX Document 195* https://history.state.gov/historicaldocuments/frus1958-60v09/d195

[30] *Ibidem*, p. 523.

it proved to be more important to maintain his position within the Party and his relations with China than to continue the conference.

In the spring of 1959, the CIA was trying to estimate what actions the Soviets might take if the summit ended without finding a solution to the Berlin problem. Because the CIA observed that Khrushchev had alternated between offers to negotiate over Berlin and threats of unilateral action, the agency considers that the Soviets would agree to extend the negotiations or, most likely, to sign a separate treaty with East Germany. After signing the peace treaty, the Soviets were unlikely to intend to block access to Berlin, as they were willing to alter Berlin's status by negotiating with Westerners. What Khrushchev would do was to impose some access conditions which, in the view of the Allies, was like denying their access to the city.[31]

Pressures of the East German regime in Berlin

After the Paris summit failed, Khrushchev allowed the East German authorities to launch a campaign aimed at raising tensions. After Walter Ulbricht declared that „West Berlin is located in the GDR and is part of its territory...''[32], East Germans used a variety of means to create a state of insecurity in Berlin which reflected their claims to sovereignty over West Berlin. On the 29th of August 1960, the East German government adopted an order by which, from 30th of August to 4th of September, the West German citizens were allowed to enter East Berlin only

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[31] „Special National Intelligence Estimate: The Soviet Attitude and Tactics on the Berlin Problem, 22 March 1960", in Donald P. Steury (ed), *op. cit.*, p. 523.

[32] „Intelligence Report Prepared in the Bureau of Intelligence and Research: Increasing communist attention to Berlin, 25 august 1960" in *The Foreign Relations of the United States* (hereafter F*RUS, Vol. IX*., p. 553 https://history.state.gov/historicaldocuments/frus1958-60v09/d207

if they were in possession of a valid visitor's permit.[33] These violations of the Agreements between the four powers were taken in the context of a meeting, in West Berlin, of the organizations from West Germany representing former prisoners of war and refugees. This meeting was considered by the communists as a „revanchist meeting" which threatened the order and security of the population in the GDR.[34]

The CIA expected the GDR to use its repressive actions to demonstrate that it could take action against West Berlin. Those actions could gradually weaken the ties between Berlin and the FRG as West Berliners begin to have doubts about the Allies' ability to withstand communist pressure.[35] But some of the actions that East-German authorities took did not always have the approval of the Soviet leader. On the 23rd of September 1960, Ulbricht announced that all Western diplomats accredited to the FRG must obtain permission from the GDR's Ministry of Foreign Affairs before entering either in the eastern sector of Berlin or in the other territories of the GDR.[36] Pursuing a policy of limited risk, in which they were using military threats to secure their political objectives, but would not go to war, according to the CIA analysis, the Soviets wanted to postpone some radical actions until the future negotiations would have been possible under a new American administration[37]. Because of this, Khrushchev ordered Ulbricht to cancel the new

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[33] „Decree of the German Democratic Republic Imposing a Five-Day Restriction on Entry of West German Citizens Into East Berlin, August 29, 1960", in *Documents on Germany, 1944-1985*, Washington D.C., United States Government Printing Office, 1986, pp. 715-716. https://babel.hathitrust.org/cgi/pt?id=mdp.39015011724781&view=1up&seq=777

[34] *Ibidem*, p. 715.

[35] David E. Murphy; Serghei A. Kondrashev; George Bailey, *op.cit.*, p. 335.

[36] Frederick Taylor, *op.cit.*, p. 121.

[37]„Current Intelligence Weekly Summary: Soviet Policy on Berlin and Germany", in Donald P. Steury (ed), *op.cit.*, p. 546.

border regime. The restrictive measures in terms of traffic between West Berlin and the GDR could have caused West Germany to break economic relations with the East, and this would have had serious consequences for the already fragile economy of the German communist state.

During a meeting between the Soviet leader and Ulbricht, in November 1960, Khrushchev urged the East German leader to be patient. Asking Khrushchev what tactics should be adopted next year, the Soviet leader told Ulbricht that they would develop a tactic of gradual elimination of the Western powers from West Berlin, but without war.[38]

Ulbricht felt that the East-German economics problems were getting worse too quickly to be postponed until the Soviet leader held talks with the new American president. Thus, during the winter, the East Germans continued to harass those who crossed the border. There were temporary closures of checkpoints, frequent checks, diversions at the sectoral border made to East Berliners working in the West.[39] Ulbricht's decision to act for solving the Berlin issue came even further after the SED Political Bureau approved the plan to set up a working group at the highest level, whose task was to develop strategies to „radically stop" the flow of refugees. The East German leader had tasked three of his most loyal subordinates with this mission: General Secretary of the Socialist Unity Party, Erich Honecker, Minister for the Interior, Karl Maren, and head of the

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[38] „Record of Meeting of Comrade N.S. Khrushchev with Comrade W. Ulbricht, November 30, 1960", in *Digital Archive International History Declassified, Berlin Wall Collection, Woodrow Wilson Center* https://digitalarchive.wilsoncenter.org/document/112352.pdf?v=2022f4f0e3dc66274ecc8a6d9ecc5dc6
[39] Frederick Taylor, *op.cit.*, p. 123.

East German Ministry for State Security, Erich Mielke.[40] Thus, it seemed that Ulbricht was ready to seal the border, needing only Khrushchev's word to act.

Analyzing what future measures could be taken to stop the increase in the number of East Germans leaving the GDR through Berlin, the CIA considered that it would be very difficult for East Germans to completely seal access to the western sectors. The border passed through streets, forests, plains, lakes, canals, and even Western enclaves in the territory of the Eastern area, which could make such a move ineffective. According to the agency, the East German police and border guards could be placed at strategic points, but it would have been impossible to completely close the demarcation line.[41] Even though the East German authorities were already beginning to take steps to separate the transport system from West Berlin, and thus eliminate the traces of the dependence on the Western sectors, a total isolation from the West did not seem possible from the CIA's point of view.[42]

A new US president, same Berlin question

During the electoral debates, John F. Kennedy stated that „the next President of the United States in his first year is going to be confronted with a very serious question on our defense of Berlin, our commitment to Berlin" and in „spring or late in the winter, we are going to face with the most serious Berlin crisis since 1949 or '50."[43] Moreover, being asked if he would take military action to

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[40] *Ibidem*, p. 141.

[41] „Current Intelligence Weekly Summary: Communist Tactics against West Berlin", in Donald P. Steury (ed), *op.cit.*, p. 452.

[42] *Ibidem.*

[43] „Television Debates: Transcript: Second Debate, 7 October 1960", in *Papers of John F. Kennedy. Pre-Presidential Papers. Presidential Campaign Files, 1960*, pp. 47-48. https://www.jfklibrary.org/asset-viewer/archives/JFKCAMP1960/1052/JFKCAMP1960-1052-002

defend Berlin, the next president said that the US has a contractual right to be in Berlin and a commitment to maintaining the freedom and independence of West Berlin.[44] Even if he somehow anticipated how the political climate would look like in 1961, by the time Kennedy began his presidential term, it had been three years since Khrushchev had issued his first ultimatum, and the passing of time began to gradually reduce the credibility of the Soviet leader's threat and the general sense of insecurity.

However, with the new US administration, Khrushchev has taken some conciliatory steps to create a favorable climate for future discussions about Berlin and Germany. So, immediately after the inauguration, the Soviet leader published the full and uncensored text of Kennedy's Inaugural Address in *Pravda* and *Izvestia,* reduced the jamming of the radio broadcasting network, *The Voice of America,* and released two American pilots whose RB-47 reconnaissance aircraft had been shot down in the summer of 1960 after straying into Soviet airspace.[45]

In Khrushchev's view, the new US administration meant a new opportunity to resolve the situation in Berlin. Seeing that Kennedy had not yet arranged a future meeting for negotiations and thinking that it is necessary to recall the „abnormal" situation in West Berlin as the West delayed resolving the German problem, the Soviet Union sent an aide-mémoire to the Chancellor of the Federal Republic of Germany, Konrad Adenauer. In its diplomatic note, whose message was also addressed to Kennedy, the Soviet Union reiterated the danger of arming West Germany and of subversive activities taking place in the western part of

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[44] „Television debates: Transcript: Third debate, 13 October 1960", in *Papers of John F. Kennedy*…, p.6 https://www.jfklibrary.org/asset-viewer/archives/JFKCAMP1960/1052/JFKCAMP1960-1052-004

[45] Michael Beschloss, *The Crisis Years: Kennedy and Khrushchev, 1960-1963*, New York, Harper Collins, 1991, p. 73.

Berlin. It concluded that „either we move toward an ever more dangerous aggravation of relations between states, toward armed conflicts, or conclude a peace treaty."[46] According to the note, the German problem must be resolved in 1961, before the elections in the FRG. The period following the elections would delay again the negotiation process, as was the case in the United States, where the organization of the new administration and the new duties postponed discussions on Berlin indefinitely on the political agenda. Using both threats and supplications, the Soviet Union was trying to show the benefits that a peace treaty could bring. For the Soviets, a peace treaty, guided by principles of peaceful coexistence, would eliminate mistrust of the Bonn policy in many countries of the world.[47]

In April 1961, after observing the Soviet's approach in the note sent to the FRG, the CIA stated, in The National Intelligence Estimate report, that, apparently, Khrushchev still hoped that if he kept in reserve the threat of a unilateral move, the Western fears of a showdown would induce the Allies to make concessions at the bargaining table.[48] Also, the agency estimated that in the relatively near future the USSR would present a formal demand for a renewal of negotiations on the question of a peace treaty for „the two Germanies" and a new status for Berlin, Khrushchev repeating what he had done in November 1958 and January 1959. A first step toward eliminating Allied occupation rights in West Berlin would be, according to the agency, an interim agreement which, at least by implication,

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[46] „Aide-mémoire from the Soviet Union to the FRG concerning a German Peace Treaty and relates matters, February, 17, 1961", in *Documents on Germany 1944-1985...*, p. 724. https://babel.hathitrust.org/cgi/pt?id=mdp.39015011724781&view=1up&seq=786&skin=2021
[47] *Ibidem*, p. 725.
[48] „National Intelligence Estimate: Soviet short-term intentions regarding Berlin and Germany, April 25 1961", in *FRUS, 1961-1963, Vol. XIV, Berlin Crisis, United States Government Printing Office*, Washington, 1993 p. 57. https://history.state.gov/historicaldocuments/frus1961-63v14/d20

would put a time limit on the occupation rights. This outcome would be intended to lay the groundwork for later advances and a major gain for the Soviets.[49] However, the latest estimate was also influenced by Khrushchev's meeting with the US columnist Walter Lippmann. At the meeting, explaining alternative solutions to the Berlin problem, the soviet leader seemed to point out that an interim agreement would have been most likely. An agreement with both German states was the ideal solution, but he recognized that the West was unlikely to accept such a plan.[50]

The failures of the Kennedy administration in Cuba and Laos made the Soviets believe that they could put the president to another test, in Berlin. Trying to anticipate what could be a possible evolution of the Berlin crisis, the CIA thought that Khrushchev's foreign policy, adopted with the inauguration of the new American president, could be the best indicator. On the one hand, Khrushchev has adopted a relatively moderate policy toward the US, actively sought to arrange an early meeting with Kennedy, but, on the other, the Soviet leader did not hesitate to exploit the situations aggressively, in Laos, Congo, and Cuba.[51] Considering that international affairs are running irrevocably in favor of the communist world, Khrushchev's confidence in the possibility of changing the balance of power was growing. He would continue to exploit those situations where Soviet interests can be advanced without extreme risks. According to the CIA, Berlin was still a crucial problem for Khrushchev, and his overall future

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[49] *Ibidem.*

[50] „Current Intelligence Weekly Summary: Bloc Statements on Berlin and Germany, 27 April, 1961", in *CIA Special Collection. The Berlin Wall Collection: A City Torn Apart: Building of the Berlin Wall.*

[51] „Soviet   Foreign   Policy,   22   May   1961",   in   *CIA   Special   Collection* https://www.cia.gov/readingroom/docs/CIA-RDP64B00346R000500080001-2.pdf

course would depend on the outcome of his efforts to resolve this problem in 1961. In addition, if negotiations with the Western powers had not taken place or failed, the Soviet leader would have proceeded with his plan to sign a separate peace treaty and transfer control over Allied military traffic to the East Germans.[52]

Though the course of the crisis was influenced by the context of the events, the intelligence agency offered, in one of its reports, various actions that the Allies could have taken if the Soviets and East Germans would have hampered the access of Western powers to West Berlin. Thus, one of the first steps the Allies could have taken was to make a substantial effort to open and maintain ground access through limited military action, in which the Allied armed forces were to enter on the autobahn.[53] Other measures were imposing economic sanctions and breaking diplomatic relations. These were also the reactions that the Soviets expected most with the change of the right of access. According to the CIA assessment, the communists would have not wanted to completely stop traffic to Berlin to avoid sanctions that would have affected the legitimacy of the communist bloc.[54]

Because Berlin was the place where a conflict between the West and the communist bloc was most likely to break out, the American agency was considering the possibility of a large-scale war. But, in this case, the CIA believed that the Soviets would seek to reopen negotiations to change Berlin's status, because Moscow had no intention of starting a general war. Furthermore, there would have been little public support for a more drastic Allied response as long as

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[52] *Ibidem*, pp. 1-2.
[53] „DCI: Briefing: Soviet and other reactions to various courses of actions regarding Berlin", în Donald P. Steury (ed.), *op.cit.*, p. 555.
[54] *Ibidem*, p. 563.

the actions of the Soviets or the East Germans did not show a clear attempt to take control of the entire city.[55]

One month after the CIA report in April, Khrushchev confirmed the estimate that the USSR preferred the renewal of negotiations and a new status for Berlin in 1961. In May, the Soviet leader agreed to have a meeting with Kennedy in Vienna. After the Bay of Pigs disaster, Khrushchev was once again eager to sit at the negotiating table and use the advantage he imagined he had over his weakened opponent.

In a conversation with Llewellyn Thompson, the US Ambassador to Moscow, Khrushchev made it clear that he considered Berlin the main topic of discussion at the next meeting with the US President in Vienna.[56] Despite Khrushchev's frequent statements on the paramount importance of complete and general disarmament, he told the Ambassador that no other issue was as vital as the German problem, and that disarmament was impossible as long as the Berlin problem remained unresolved.[57]

Rising tensions and arrangements for a possible operation

For those who believed that the large issues of the Cold War could only be resolved through high-level diplomacy, this was a frustrating time.[58] The different

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[55] *Ibidem*, p. 566.

[56] „Current Intelligence Memorandum: Khrushchev's Conversation with Ambassador Thompson on Berlin," 25 May 1961, in *US National Archives, CIA Records*, p.1 https://www.cia.gov/readingroom/docs/1961-05-25a.pdf

[57] *Ibidem*, p. 2.

[58] Lawrence Freedman, *Kennedy's Wars: Berlin, Cuba, Laos, and Vietnam*, New York, Oxford University Press, 2000, pp. 51-56.

temperaments of the two leaders and the distinctive topics of discussion on the political agenda led to the failure of the summit.

Even though no other important meeting between heads of state had attracted as much attention from the international press as that between Kennedy and Khrushchev in Vienna, the aftermath of this meeting did not bring any improvement in the relations between the two superpowers. On the contrary, the Vienna summit soon opened the next and most virulent phase of the Berlin crisis.

The first session of the summit became a dispute in which Kennedy and Khrushchev tried each other's limits. The US president was ready to address the nuclear issue through disarmament and arms control agreements, a subject for which Khrushchev had no real interest, as he stated in the conversation with Thompson. The next day, however, Khrushchev opposed all efforts by the US president to direct talks on banning nuclear experiments. All Khrushchev wanted to discuss was the Berlin question. Claiming that there was no explanation for the non-existence of a peace treaty 16 years after the war, the Soviet leader tried to convince Kennedy that the USSR wanted to normalize the situation not by intrigue or threat, but by solemnly signing a peace treaty.[59]

After an exchange of caustic remarks between the two leaders, in which Khrushchev violated diplomatic etiquette and repeatedly used the word „war" to signal to Kennedy the price for his stubbornness in resolving the German problem, the Soviet leader issued another ultimatum. The ultimatum was identical to that given to President Eisenhower in 1958: a six month interim for negotiation of a peace treaty with the two German states, which "would also solve the problem of

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[59] „Memorandum of Conversation, Vienna, June 4, 1961", in *FRUS, 1961-1963, Vol. XIV*, p. 90 https://history.state.gov/historicaldocuments/frus1961-63v14/d32

normalizing the situation in West Berlin", and a separate USSR-GDR treaty if the Allied Powers refuse to agree. [60]

Back to Washington, President Kennedy and his advisors began planning for the inevitable Soviet attempt to push the Western allies out of West Berlin. Former Secretary of State, Dean Acheson, issued a report at Kennedy's request recommending a much more aggressive policy toward the Soviet Union. In the report, which reached the President on the 28th of June, Acheson said that „until this conflict of wills is resolved, an attempt to solve the Berlin issue by negotiation is worse than a waste of time and energy."[61] Acheson believed that a Soviet challenge was imminent and that strong and unequivocal resistance was needed. He called for a visible and effective military build-up to increase the credibility of the United States.

In July, US Ambassador to Bonn, Walter Dowling, sent a telegram to the US Department of State warning that the „refugee flow may increase to actual flood unless additional, harsher restrictive measures are taken against travel from Zone into East Berlin and thence across sector border."[62] Dowling tried to urge the Western powers to consider what attitude would take if the East German populace might rise against the restrictive measures taken by the communist regime. He believed that Western inaction would have meant "the end of our prestige and influence in West Germany."[63]

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[60] „Aide-mémoire from Nikita Khrushchev to John F. Kennedy (Vienna, 4 June 1961)", in *CVCE.EU* https://www.cvce.eu/en/obj/aide_memoire_from_nikita_khrushchev_to_john_f_kennedy_vienna_4_june_1961-en-930c38eb-5011-494b-ad72-f8ea5cb1fe30.html

[61] „Report by Dean Acheson, Washington, June 28, 1961", in *FRUS, 1961-1963, Vol. XIV*, p. 139 https://history.state.gov/historicaldocuments/frus1961-63v14/d49

[62] „Telegram From the Embassy in Germany to the Department of State, Bonn, July 12, 1961", in *FRUS, 1961-1963, Vol. XIV*, p.192 https://history.state.gov/historicaldocuments/frus1961-63v14/d65

[63] *Ibidem.*

At the same time, the CIA proposed a solution if communist forces blocked access to Berlin: imposing an embargo on the entire communist bloc or only on East Germany. But it could have only been maintained for a few months because NATO member states would have not been willing to bear the cost for too long.[64] However, the embargo would have been an element that possibly led the USSR to moderate its policy on Berlin and would have allowed a resumption of negotiations.

The unstable situation and the warnings about the actions that could be taken by the Soviets and East Germans in Berlin, made Kennedy think that it was necessary to convince Khrushchev of his decision to defend West Berlin at all costs. On the 25th of July, in a speech broadcast from the Oval Office, the American President announced a higher defense budget, the call up of reserves, procurement of new weapons, and a step-up of the civil defense program. Saying that West Berlin „has now become, as never before, the great testing place of Western courage and will, a focal point where our solemn commitments stretching back over the years since 1945, and Soviet ambitions now meet in basic confrontation", Kennedy warned that „an attack upon that city will be regarded as an attack upon" all NATO allies.[65]

Kennedy's speech, however, changed Khrushchev's perceptions. It was clear that additional demands and threats would have escalated the crisis that could have led to a nuclear conflict. What the Soviet leader had to do was to end

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[64] „Special National Intelligence Estimate: Probable Soviet reaction to a western embargo, 18 July 1961" in *CIA Special Collection. The Berlin Wall Collection: A City Torn Apart: Building of the Berlin Wall*
[65] „Radio and television report to the American people on the Berlin Crisis, July 25, 1961", in *Papers of John F. Kennedy…*
https://www.jfklibrary.org/archives/other-resources/john-f-kennedy-speeches/berlin-crisis-19610725

the Berlin crisis more prudently, without too much cost. The solution found was to prevent access to West Berlin from East Germany. The closure of Berlin's sectoral border was a quick fix that would have prevented East Germany from collapsing. In July 1961, thirty thousand East Germans moved across to the refugee camps in West Berlin, the largest monthly number since 1953.[66]

Moreover, even if Walter Ulbricht could not act against Moscow's wishes, he could still influence events and attitudes. Ulbricht's rhetoric tended to undermine Soviet claims that the West Berliners would barely notice a change under the „free city" proposal and encouraged East Berliners to leave. Holding a press conference in East Berlin, on the 15th of June, and answering questions from journalists, Ulbricht made an unexpected remark that gave a clue as to what was to come. Asked by a West German correspondent that creating a free Berlin would involve building a state border at the Brandenburg Gate, the East German leader replied that „nobody has any intention of building a wall".[67] His words seemed to anticipate the future action, even though he denied it.

In early August, Khrushchev and Ulbricht discussed the details of the border closure between East and West Berlin. During their conversation, Khrushchev had said that Soviet and East German forces must surround Berlin „with an iron ring", with Soviet troops creating the ring and East German forces controlling it.[68] The Soviet leader believed that „this must happen before a peace treaty is concluded. It would be a means of pressure, it will show that we take the

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[66] Lawrence Freedman, *op. cit.,* p. 72.

[67] „Nobody has any intention of building a wall", June 15, 1961, in *The Berlin Wall – A multimedia history* https://www.the-berlin-wall.com/videos/walter-ulbricht-building-a-wall-530/

[68] „Notes on the Conversation of comrade N.S. Khrushchev with comrade W. Ulbricht on 1 August 1961", in *Digital Archive International History Declassified, Berlin Wall Collection, Woodrow Wilson Center* https://digitalarchive.wilsoncenter.org/document/110206

issue seriously and it will reduce, at the same time, the exodus of refugees."[69] The East German leader was, however, already prepared, declaring to Khrushchev that „we have a specific plan. In houses with exits into West Berlin, they will be walled up. In other places, barbed wire barriers will be erected. The barbed wire has already been delivered. It can all happen very quickly."[70]

On the 10th of August, a CIA report that analyzes the composition of refugee flow, their motivation to flee from the East, and the effect on GDR, told that East German propaganda on the 10th of August suggested that a decree promulgating new and more vigorous control measures would be forthcoming from the meeting of the East German People Chamber on the 11th of August.[71]

Simultaneously with the meeting of the communist bloc states in Moscow, between 4th and 9th of August, Foreign Ministers of the US, France, Great Britain, and FRG met at Paris to discuss the Western initiative toward negotiations and its timing, the development of NATO forces and the countermeasures that Western powers should take if their rights in Berlin are threatened.[72] Nevertheless, the West seemed to ignore the fact that the actions were taken by Moscow and the East German regime quickly accelerated.

Sealing off the sector border

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[69] *Ibidem.*

[70] *Ibidem.*

[71] „Central Intelligence Agency, Office of Current Intelligence: East German Refugee, 10 august 1961", in *The National Security Archive* , p.6 https://nsarchive2.gwu.edu/NSAEBB/NSAEBB354/8-10-61%20refugees.pdf

[72] „Paper Prepared by the Four-Power Working Group on Germany and Berlin, Paris, August 8, 1961", in *FRUS*, *1961-1963*, *Vol. XIV*, pp.317-318 https://history.state.gov/historicaldocuments/frus1961-63v14/d101

At 4 p.m. on the 12th of August, Walter Ulbricht signed the orders to close the border, and at midnight the alert was given and the border closure operation began. Free movement on foot, by car, train, or boat from East to West Berlin was stopped. The U-Bahn, S-Bahn, tram, and buses were all stopped from crossing the border, and their old crossing points were blocked.[73] Along the border, trucks unloaded concrete pillars and barbed wire, blocking all 193 streets leading from East Berlin to its western sector.

The group around Erich Honecker, who planned the „Operation Rose", did not consist of more than eight people because everything had to look like a routine police operation. So that Western intelligence agencies had no clue what was going to happen, no telephone and no radio transmission was allowed, the information documents being sent by courier, for security reasons. Thus, on the ground in Berlin, the American diplomatic and intelligence officials responsible for assessing the situation had no real idea what was about to happen.[74]

Immediately after the barbed wire fence was installed along the entire border of the sector, East Germany issued a new decree that restricted travel between East Berlin and West Berlin. According to GDR, reliable safeguards and effective control must be ensured on the West Berlin borders to put an end to the hostile activities and the revanchist and militarist forces of West Germany and West Berlin.[75] Thereby, insisting on transforming the status of Berlin, the GDR's decree states that „until West Berlin is turned into a demilitarized neutral free city,

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[73] Hope Harrison, *The German Democratic Republic, the Soviet Union and the Berlin Wall Crisis*, in vol. John Gearson; Kori Schake (ed.), *The Berlin Wall Crisis: Perspectives on Cold War Alliances*, p. 113.
[74] Frederick Taylor, *op. cit.*, p.160
[75] „Decree of the German Democratic Republic Imposing Restrictions on Travel Between East and West Berlin, August 13, 1961", in *Documents on Germany 1944-1985...*, p. 775 https://babel.hathitrust.org/cgi/pt?id=mdp.39015011724781&view=1up&seq=837&skin=2021

the citizens of the GDR will have to have a special permit for crossing the border to West Berlin".[76]

Looking back on the events of the last few months, the CIA was trying to figure out if any signs possibly announced the closure of the border. According to a CIA report from the 17th of August 1961, the appointment of Marshal Ivan Konev as commander of the Soviet forces in Berlin, during a period of greatly increased tensions, should have aroused suspicion. Thus, his appointment was part of the Soviet strategy to impress the East German populace with the extent of Soviet support for the regime and Soviet willingness to use its forces to suppress any popular opposition. Also, the CIA thought that Khrushchev probably felt that the appointment of a man with Konev's prestige and experience would strengthen his efforts to impress the West with his determination to conclude a separate treaty in the absence of a negotiated settlement.[77]

Although Westerners were aware that additional harsh measures would be introduced soon by the communist regime to end the mass flight of East Germans, the actual event took everyone by surprise. The President, who was at Hyannis Port, on Cape Cod, was notified about the events that took place in Berlin six hours after the border was closed.[78]

The first official reaction of the US administration about the border closure operation came from Dean Rusk. In his statement, Rusk said that the limitation on travel within Berlin was a violation of the four-power status of Berlin and a flagrant

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[76] *Ibidem.*

[77] „Current Intelligence Weekly Summary: Weekly Review, 17 August 1961", in *The National Security Archive* https://nsarchive2.gwu.edu/NSAEBB/NSAEBB354/8-17-61%20current%20intell.pdf

[78] Michael Beschloss, *op. cit.*, p. 310.

violation of the right of free circulation throughout the city.[79] Moreover, to justify the lack of immediate reaction from the US, the secretary of state pointed out that measures taken thus far were aimed at residents of East Berlin and East Germany and not at the Allied position in West Berlin or access thereto.[80]

In East Berlin, the communists were in control and nobody was suggesting a direct challenge. The options for helping people on the eastern side of the Iron Curtain were few, and most seemed to involve a heightened risk of great-power war.[81] Thus, Western powers never considered East Berlin a problem for which they were willing to risk a war. Dean Rusk saw border closure as a defensive move by the East German and Soviet forces and George Kennan believed that Khrushchev closed the border to end a confrontation, not to provoke one.[82]

Analyzing the impact that the closure of the border had on the East German population, the CIA believed that a general uprising against the communist regime was unlikely to take place in GDR. The Agency considered that the East Germans would not engage in large-scale hasty actions because they were still waiting for help from the Western powers.[83] But, the help from the Westerners was not going to appear.

Berliners and West Germans reacted to this seeming inaction from the Western powers with fury. Hundreds of thousands of West Berliners demonstrated at the Brandenburg Gate and the Governing Mayor of West Berlin,

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[79] „Statement by Secretary of State Rusk Concerning Travel Restrictions in Berlin, August 13, 1961", in *Documents on Germany 1944-1985*, p. 776 https://babel.hathitrust.org/cgi/pt?id=mdp.39015011724781&view=1up&seq=838&skin=2021
[80] *Ibidem*.
[81] Lawrence Freedman, *op. cit.*, p. 75.
[82] Michael Beschloss, *op. cit.*, p. 314.
[83] „National Intelligence Estimate: The outlook in East Germany", in *CIA Special Collection. The Berlin Wall Collection...*, pp. 4-5.

Willy Brandt, angrily demanded some action from Kennedy by which the illegal measures imposed by the East German regime to be canceled and free movement in Berlin restored.[84]

Wanting to show that the US was still a reliable ally and to reaffirm American commitments, Kennedy took decisive steps to protect the freedom and independence of West Berlin. So, the American administration decided to strengthen the garrison in the western part of the city by increasing the number of soldiers and sending in Berlin Vice-President Lyndon B. Johnson and former Military Governor General Lucius D. Clay, the architect of the successful Berlin airlift and a hero of the Germans.[85]

The day before Kennedy's two representatives arrived in Berlin, East German authorities were replacing the barbed wire fence with a concrete wall. Closing the border no longer seemed a temporary measure.

The signing of a peace treaty between the USSR and the GDR and transforming Berlin into a „free city" was still a threat, even though the number of refugees had fallen sharply since the 13th of August. On the 23rd of August, the Soviets sent a note to the governments of the three Allied powers demanding that immediate actions had to be taken by the Westerns to end West Germany's subversive activities. The Soviet Union blamed the Allied powers for „using air corridors to send from FRG to West Berlin all kinds of revanchists, extremists, saboteurs, and spies."[86] Thus, the Soviet government declared that the USA, Great

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[84] Arthur G. Kogan, *U.S. Department of State Research Project: Crisis over Berlin: Part. V: Developments in the early phase of Kennedy Administration*, Historical Office, Bureau of Public Affairs, 1970, p. 89.

[85] „Letter From President Kennedy to Governing Mayor Brandt, Washington, August 18, 1961" in *FRUS, 1961-1963, Vol. XIV*, p. 353 https://history.state.gov/historicaldocuments/frus1961-63v14/d120

[86] „Note from the Soviet Union to the United States Protesting the Transport of West German Officials to West Berlin Through the Allied Air Corridors, August 23, 1961", in *Documents on Germany, 1944-*

Britain, and France were abusing their position in West Berlin, taking advantage of the lack of control over the airlines.

Noting that the border closure operation did not stop pressure from the Soviets and East Germans to change the status of West Berlin, the CIA tried to estimate what tactics the Soviets might adopt in the next period. According to a report from the 24th of August, stopping the flow of refugees would not have changed the Soviet Union's vision to support East Germany's claims to sovereignty. The signing of a peace treaty and, possibly, the expulsion of Western influence from Berlin, was still an important aim on the Soviet foreign agenda. Thereby, the CIA thought that the communist regime could deny all the rights of the Allied powers to enter East Berlin, destroying the four-power status of that part of the city, and the East German authorities might disrupt or harass civilian traffic between West Berlin and the FRG.[87] But these measures were going to be taken gradually. The CIA believed that their preference was to let the effects of the border closure sink in and see whether the Western powers become more inclined to accept Soviet terms of negotiations.[88] Moreover, if negotiations were in train toward the end of the year, Khrushchev would have probably postponed his deadline for a treaty. The American agency considered that a treaty would not be signed before the Party Congress, convened on the 17th of October.

In September, Oleg Penkovsky, a CIA agent who had infiltrated the Soviet Military Intelligence Service, sent a report which contained alarming information

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1985,   p.   784
https://babel.hathitrust.org/cgi/pt?id=mdp.39015011724781&view=1up&seq=846&skin=2021

[87] „Special National Intelligence Estimate: Soviet Tactics in the Berlin Crisis", in Donald P. Steury (ed.), *op. cit.*, p. 585.

[88] *Ibidem*, p.586.

that gave Washington reasons to increase the conventional forces. Penkovsky's report provided information about Khrushchev's military training plans, on a large scale, for the autumn of 1961. According to Penkovsky, building the wall was regarded by the Soviets as the „first pill" which managed to be „swallowed" by the Allies. „The second pill" was the peace treaty or, if necessary, military action to remove Western powers from Berlin.[89] The CIA agent's report also provided details on when the Soviets would decide to sign the peace treaty with the GDR. Thus, the announcement of the signing would have been made at the opening of the Congress of the Communist Party in October, and immediately after the Congress, Khrushchev would have wanted to sign the treaty.[90] Besides that, Penkovsky revealed that he had found out, by accident, details of the plan to close the border four days before the operation, but he had no secure means of transmitting the information to his Western contacts.

Penkovsky's conclusions, however, were viewed with relative skepticism by the CIA. In its October 1961 report, the intelligence agency considered that the Soviet's military preparations were not intended to sustain a general war soon. These were rather undertaken to convince the West of the military power of the communist states and of persuading the Allies to accept concessions on Berlin. The CIA believed the Soviets needed contingency plans for the next phase of the Berlin crisis but it was probable that the USSR would still choose the least risky methods to achieve its goal. It was unlikely that the Soviets would launch a major military

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[89] „Penkovsky, Meeting No. 31, 22nd September 1961", in Donald P. Steury (ed.), *op. cit*., p. 613.
[90] *Ibidem*, p. 615.

offensive. They would do this only if they are sure that a Western attack is inevitable and imminent.[91]

The „second pill" predicted by Penkovsky would not appear too soon, even though the events of the following months maintained the climate of uncertainty. Both conciliation and confrontation, two features of the Berlin crisis, reappeared in Soviet-American relations. This accentuated the paradox of the policies, which made it difficult for the CIA to anticipate the future tactics of the Soviets.

On the 25th of September 1961, John F. Kennedy gave a speech to the United Nations General Assembly recalling the German and Berlin issues and stating that „solemn agreements are being treated with indifference", and „peaceful circulation has been interrupted by barbed wire and concrete blocks." A so-called peace treaty, according to the American president, would destroy peace even more, and a „free city", which is not genuinely free, would be an „infamy"[92]. Saying that „the possibilities of negotiation are now being explored", Kennedy was sending, at the same time, a conciliatory message to the USSR.

Just one week after Kennedy's speech, Khrushchev decided to seize advantage of the peaceful direction the American president seemed to be heading. On the 29th of September, he sent to Kennedy a letter that led to the so-called „Pen-Pal correspondence" between the two leaders. In his letter, Khrushchev reiterated the need to conclude a German peace treaty and suggested negotiations, but without giving a new ultimatum.[93] Khrushchev saw no reason why negotiation in

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[91] „Special National Intelligence Estimate: Soviet Tactics in the Berlin Crisis, 5th October 1961", in Donald P. Steury (ed.), *op. cit*., pp. 621-625.

[92] „Address by President John F. Kennedy to the UN General Assembly", September 25, 1961, in *U.S. Department of State: Diplomacy in Action* https://2009-2017.state.gov/p/io/potusunga/207241.htm

[93] „Letter From Chairman Khrushchev to President Kennedy, Moscow, September 29, 1961", in *FRUS, 1961-1963, Vol. XIV*, p. 448 https://history.state.gov/historicaldocuments/frus1961-63v14/d162

good faith could not produce settlements in both places. He was willing, if the US President was, to take another look at positions frozen hard through fifteen years of Cold War.[94]

In his reply, two weeks later, Kennedy stated that the area has been peaceful and „it might be rendered less peaceful if such a treaty should convince the German people that their long-cherished hopes for unification were frustrated"[95]. Furthermore, he proposed to the Soviet leader to „talk about the peace which flows from actual conditions of peace, not merely treaties that bear that label".[96]

When the American president sent the letter to Khrushchev, the Congress of the Communist Party was in full swing in Moscow. Contrary to CIA agent Oleg Penkovsky's estimates, the Soviet leader did not use Congress to officially announce the signing of a peace treaty with East Germany. For Khrushchev, building the wall was a perfect solution for solving the problems that GDR faced. The international recognition of the East German state was a matter that could wait.

Dissatisfied by the Soviet leader's decision to abandon the idea of a peace treaty with East Germany, Walter Ulbricht again decided to take control in East Berlin. At the end of October, the GDR leader unilaterally intensified border inspections, East German police, *Volkspolizei* or *Vopos*, starting checks on Allied

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[94] Michael Beschloss, *op. cit.*, p. 361.
[95] „Letter From President Kennedy to Chairman Khrushchev, Hyannis Port, October 16, 1961", in *FRUS, 1961-1963, Vol. VI, Kennedy-Khrushchev Exchanges*, p. 40 https://history.state.gov/historicaldocuments/frus1961-63v06/d22
[96] *Ibidem*, p. 41.

civilians.[97] But, now, General Lucius Clay was in Berlin and he was prepared to defend the Western sector by any means. Clay felt that the issue of the Checkpoint Charlie, open to foreigners and diplomats, needed to be re-examined.[98] At the initiative of the General, President Kennedy approved that if the Friedrichstrasse closing point is closed either by unacceptable demands for documentation by the GDR or by the erection of a barrier, the US would run two or three tanks up to the checkpoint to demolish whatever was barring the entry.[99] The actions of the East German regime to violate the procedures established by the four powers led the Americans to implement the decision much faster than they expected.

On the 22nd of October, East German border guards attempted to interfere with State Department Representative Allen Lightner's access rights to East Berlin at Checkpoint Charlie.[100] Immediately after this incident, on the 26th of October, tanks were brought to the Friedrichstrasse area. The next day Soviet tanks moved into opposing positions. Soviet and American tank commanders stared at each other over open gun sights. The military confrontation that everyone had feared seemed to be at hand.

Nevertheless, the fast settlement of the confrontation at the Checkpoint Charlie reflected the striking reality of the power relations between the USA and

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[97] Frederick Kempe, *Berlin 1961. Kennedy, Hrușciov și cel mai periculos loc din lume,* Bucureşti, Editura Litera, 2013, p. 553.

[98] „Memorandum From Acting Secretary of State Ball to President Kennedy, Washington, October 14, 1961", in *FRUS, 1961-1963, Vol. XIV*, p. 499 https://history.state.gov/historicaldocuments/frus1961-63v14/d178

[99] „National Security Action Memoranda [NSAM]: NSAM 107, Friedrichstrasse Crossing Point, 18 October 1961", in *Papers of John F. Kennedy. Presidential Papers. National Security Files*. https://www.jfklibrary.org/asset-viewer/archives/JFKNSF/332/JFKNSF-332-009

[100] „Telegram From the Mission at Berlin to the Department of State, Berlin, October 23, 1961", in *FRUS, 1961-1963, Vol. XIV*, p. 525. https://history.state.gov/historicaldocuments/frus1961-63v14/d186

the USSR. Kennedy did not want to start a war because US officials did not agree to present documents to East Germans and Khrushchev did not want to let the East German satellite lead him to a new war.[101] What the standoff did was to show leaders the convenience of implementing backdoor diplomacy and the symbolic recognition of the *status-quo* set on the 13th of August. Therefore, the possibility of an escalating military conflict over the Berlin Crisis seemed to have ended with the withdrawal of tanks on the morning of the 28th of October.

Conclusions

A concern since the end of the Second World War, Berlin has been at the center of the dispute between East and West. But the closure of the border in the summer of 1961 put an end to the danger in Berlin. The symbol of the separation between the two competing systems, the Wall seemed not so much a problem as a solution for the political leaders. The war had been averted and the independence and freedom of West Berlin preserved, albeit at a price.

The threat of the Soviet leader Nikita Khrushchev to transfer control of the rights of access in Berlin to the East German authorities, led the Central Intelligence Agency to carefully consider any possible attempt by the Soviets to undermine the Allied rights in the city. But the inconsistency of Khrushchev's statements, his ultimatums alternating with periods of stability, made it difficult for the US Intelligence Agency to always provide estimates that would correspond, to a certain extent, to the movements that the Soviet Union was to undertake. Therefore, although many of the agency's expectations were in line with the actions taken by the communist regime, the construction of the Wall was not

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[101] Frederick Taylor, *op. cit.*, p. 286.

among them. The complexity of the city of Berlin and its border made such a measure as the building a Wall, the complete sealing off access to the western sectors, be perceived as impossible.

However, even though the CIA couldn't predict how the Berlin crisis would end, the agency provided essential information about Khrushchev's political behavior. Thereby, the CIA described the Soviet approach during the crisis as a limited risk policy, in which the military threat was used to secure political objectives. As it happened, the Soviet leader did not want to go to war for Berlin. Sacrificing a lot for a city that the USSR was trying to destroy only sixteen years earlier was not the best solution.

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UNESCO, E-LEARNING AND SUSTAINABLE DEVELOPMENT

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Keywords: e-learning, distance education, online education, mobile education, UNESCO, peace, sustainable development goals, United Nations, India, Romania.

Abstract

The authors analyze the 2019 UNESCO's activities within the framework of the Institute for Information Technologies in Education (IITE) and the outcome of the World Summit on the Information Society (WSIS) Forum which is a global United Nations (UN) multi-stakeholder platform facilitating the implementation of Sustainable Development Goals (SDGs). Attention is paid to the valuable contribution of UNESCO to the SDGs from the perspective of its specialized competence in the field of education. Finally, the authors advance some suggestions concerning the potential usage of e-learning for the dissemination of international law, for the preparation and celebration of the International Year of Peace and Trust in 2021, and for the success of the programs of the UNESCO Mahatma Gandhi Institute of Education for Peace and Sustainable Development (MGIEP).

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I.   PRELIMINARY OBSERVATIONS

In one of the most recent books on e-learning, it is emphasized that "smart education and smart e-learning are emerging and rapidly growing areas with the potential to transform existing teaching strategies, learning environments, and educational activities and technology in the classroom. Smart education and smart e-learning focus on enabling instructors to develop new ways of achieving excellence in teaching in highly technological smart classrooms and providing students with new opportunities to maximize their success and select the best options for their education, location, and learning style, as well as the mode of content delivery.[1]

According to Audrey Azoulay, Director-General of UNESCO, "none of the major challenges facing the world today can be met by any one country on its own without relying on the fundamental pillars of science, education, and culture. Thus, UNESCO can and must fully participate in a world order based on multilateralism and humanist values."[2]

In UNESCO's doctrine and practice, Education for Sustainable Development (ESD) represents a key element of quality education and a crucial factor for sustainable development. The Sustainable Development Goals (SDGs) adopted by the United Nations General Assembly (UNGA) in 2015 as the 2030 Agenda recognizes the important role of education in achieving its targets by 2030. Target 4.7 of SDG 4 on education specifically addresses ESD and related

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[1] See Vladimir L. Uskov, Robert Howlett, Jain C. Lakhmi (eds), *Smart Education and e-Learning 2019*, Springer, Singapore, 2019, edition consulted at https://www.springer.com/gp/book/9789811382598, accessed on October 24, 2019.

[2] https://en.unesco.org/director-general, accessed on 15 May 2021.

approaches. On substance, Sustainable Development Goal 4 (SDG 4) is the education goal. It aims to "ensure inclusive and equitable quality education and promote lifelong learning opportunities for all."

The Global Action Programme (GAP) on Education for Sustainable Development, which is being implemented under UNESCO's coordination, seeks to generate and scale-up progress towards sustainable development. In practice, the GAP aims to contribute substantially to the 2030 Agenda, through two main objectives:

- Reorienting education and learning so that everyone has the opportunity to acquire the knowledge, skills, values, and attitudes that empower them to contribute to a sustainable future.
- Strengthening education and learning in all agendas, programs, and activities that promote sustainable development.[3]

A valuable professional contribution was expected in this field from the UNESCO Institute for Information Technologies in Education (IITE). One of the major program activities of the IITE is the promotion of Media and Information Literacy (MIL) for Quality and Inclusive Education.

The announced goal of this program activity is to leverage media and information literacy in the digital and mobile era and to contribute to the development of the digital education environment by MIL-based professional development through a set of mobile learning tools. The described activity is

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[3] ****Global Action Programme on Education for Sustainable Development (2015-2019), in https://en.unesco.org/gap accessed on 20 May 2021.

considered to be quite significant as it is aimed at designing a set of mobile learning tools on MIL, to develop and test the mobile learning models for quality teacher training, and to enhance cross-sectoral and interdisciplinary collaboration among media education stakeholders.[4]

A relevant event co-sponsored by the UNESCO IITE was the Ninth Pan-Commonwealth Forum on Open Learning 2019 which was held in Edinburgh, Scotland (United Kingdom) on 9-12 September 2019.

The Forum is organized every three years and is considered one of the world's leading international conferences on open, distance, and technology-enabled learning. Co-hosted with different partners in different regions of the Commonwealth, the Forum attracts over 600 delegates from across the 53 nation members of the Commonwealth and beyond. In 2019 the Forum focused on "innovations", "quality", and "lifelong learning" under the theme – "Innovations for Quality Education and Lifelong Learning." The event was attended by stakeholders from across the globe to discuss, debate, and showcase how innovations are improving the quality of education and creating new spaces for Lifelong Learning.[5]

II.   GLOBAL OBJECTIVES

On 4–8 March 2019, UNESCO Headquarters in Paris (France) hosted Mobile Learning Week (MLW), an event that focused on Artificial Intelligence (AI) and its implications for sustainable development.

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[4] For the entire program of the IITE see https://iite.unesco.org/wp-content/uploads/2018/03/IITE-Mid-Term-Strategy-2018-2021.pdf

[5] ***UNESCO Institute for Information Technologies in Education, *Ninth Pan Commonwealth Forum 2019 on Open Learning,*
in https://iite.unesco.org/events/ninth-pan-commonwealth-forum-2019-on-open-learning/

Four major subject areas have been covered during the MLW:

- Ensuring inclusive and equitable use of Artificial Intelligence in education – actions on how to address inequalities related to socio-economic status, gender, ethnicity, and geographic location; identify successful projects or proven effective AI solutions to break through barriers for vulnerable groups to access quality education.

- Leveraging AI to enhance education and learning – improve education management systems, AI-boosted learning management systems, or other AI in education applications; and identify new forms of personalized learning that can support teachers and tackle education challenges.

- Promoting skills development for jobs and life in the AI era – support the design of local, regional and international strategies and policies; and explore how AI-powered mobile technology tools can support skills development and innovation.

- Safeguarding transparent and auditable use of education data – analyze how to mitigate the risks and perils of AI in education; identify and promote sound evidence for policy formulation guaranteeing accountability, and adopt algorithms that are transparent and explainable to education stakeholders.[6]

During the above-mentioned event, UNESCO IITE presented its best practices and advances in promoting media and information literacy in the AI era.

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[6] The main document used for the topic elaborated in this paper is *WSIS Forum 2019, Outcome Document, Information and Communication Technologies for achieving the Sustainable Development Goals*, Geneva, 13 August 2019. The e-version of the document is available at https://www.itu.int/net4/wsis/forum/2019/ and was accessed several times in May 2021.

Digital service and social network algorithms, based on AI technologies, machine learning, and big data, drastically alter human communication and the information environment. In this respect, the process of deepening knowledge, skills, and attitudes, which enable efficiency and maintain pivotal autonomy, takes on greater importance. The online course on media and information literacy for educators, currently developed by UNESCO IITE, will allow for building new competencies in the informal learning environment.

Within MLW 2019, UNESCO Institute for Information Technologies in Education signed the Agreement with Huashi Education (Hainan) Co., Ltd. (China) on the implementation of the joint project: Connecting Schools Online for Inter-Cultural Teaching and Learning: IITE – UNESCO Associated Schools Network Pilot Project for Shanghai Cooperation Organization Countries.

It should be emphasized that this Project aims at establishing a successful intercultural dialogue between participants of the educational processes in different countries through the use of ICT potential, including interactive and online tools, by schools. The Project will be executed at the targeted UNESCO Associated Schools (ASPnet).

These examples illustrate how UNESCO understands to give tangibility to its specific objectives related to the implementation of the 2030 Agenda containing the 17 Sustainable Development Goals proclaimed by the United Nations in 2015.

In the light of these objectives, UNESCO is fully involved in activities meant to achieve universal education worldwide, through the delivery of education and training of teachers, and offering improved conditions for lifelong learning, encompassing people that are outside the formal education process, and improving professional skills.

According to UNESCO, ICTs should be fully integrated into education and training at all levels, including in curriculum development, teacher training, institutional administration and management, and in support of the concept of lifelong learning. In the same context, UNESCO is ready to promote e-literacy skills for all, for example by designing and offering courses for public administration, taking advantage of existing facilities such as libraries, multipurpose community centers, public access points, and by establishing local ICT training centers.

At the level of national educational policies, UNESCO is acting to ensure that young people are adequately equipped with knowledge and skills to use ICTs, including the capacity to analyze and treat the information in creative and innovative manners. UNESCO wishes also to design and implement regional and international cooperation activities to enhance the capacity of leaders and operational staff in developing countries to apply ICTs effectively in the whole range of educational activities.

Taking into account the practical needs, UNESCO recommends specific training programs in the use of ICTs in order to meet the educational needs of information professionals, such as archivists, librarians, museum professionals, scientists, teachers, journalists, postal workers, and other relevant professional groups. A special mention should be made about the necessity to launch pilot projects to design new forms of ICT-based networking, linking education, training, and research institutions between and among developed and developing countries.[7]

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[7] *Ibidem.*

III.   SUBSTANTIVE WORK

The World Summit on the Information Society (WSIS) Forum is a global United Nations (UN) multi-stakeholder platform facilitating the implementation of the WSIS Action Lines for advancing Sustainable Development Goals (SDGs). It is a collective initiative co-organized first of all by ITU, UNESCO, UNDP, and UNCTAD. This Forum represents the world's largest annual gathering of the "ICT for development" community. It provides an opportunity for information exchange, knowledge creation, and sharing of best practices while identifying emerging trends and fostering partnerships, taking into account the evolving Information and Knowledge Societies. In 2019, WSIS celebrated its 10th anniversary.

From April 8 to 12, 2019, it had a session in Geneva under the theme "Information and Communication Technologies for achieving the Sustainable Development Goals." The announced aim was to provide a platform for a "just and equal information society" for all WSIS Stakeholders. This aim was partially summarized in the expression **Hack4Education** which represents a general effort by the International Telecommunications Union (ITU) and UNESCO to find innovative solutions to address challenges around Lifelong learning and sustainable Livelihoods. **Hack4Education** was a 2-days sprint-like event that took place on April 7-8, 2019 in Geneva during the WSIS Forum 2019, which recommended itself as the world's largest annual gathering of the "ICT for development" community. The mission of the Forum was to bring teams from around the world, to develop their specific solutions through a creative and highly collaborative approach for designing and implementing appropriate digital solutions for the users who need the most support. It is in this institutional

framework that UNESCO further developed the Internet universality framework of UNESCO and its ROAM principles which are considered to be a useful starting point for international reflection on how to develop a rights-based, open, accessible, and multi-stakeholder AI.

According to UNESCO, there are four principles embraced by Internet Universality – known as the R-O-A-M principles. They are recognized as being fundamental for the development of the Internet in ways that are conducive to achieving the Sustainable Development Goals proclaimed by the UNGA:

R – That the Internet be based on human rights;
O – That it is Open;
A – That it should be accessible to all;
M – That it is nurtured by Multi-stakeholder participation.[8]

India, one of the founding fathers of UNESCO, offers a good example of the validity of UNESCO's approach to e-learning at the national level. Indeed**, the** E-learning industry in India is growing at 25 percent year on year. It is projected to be a $1.96 billion industry by 2021.[9]

During the WSIS Forum in Geneva, the Indian delegation announced that India was actively practicing the launching of satellites, as a good strategy to provide the Internet to the educational system and to the end-users in education. India also explored the concept of smart classrooms that use ICT to provide a better learning experience. Indian representatives said that there are many commercial

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[8]***United Nations, Educational, Scientific and Cultural Organization, *UNESCO's Internet Universality indicators. A Framework for Assessing Internet Development*, in https://unesdoc.unesco.org/ark:/48223/pf0000367617?posInSet=1&queryId=a46642b0-1893-4f04-9bfb-b832b0851652

[9]***Institute of Product Leadership, *Digital India and Growth of E-learning in 2019* in https://www.productleadership.com/digital-india-and-growth-of-elearning-in-2019/,
accessed in May, 2021.

solutions that can be used to promote different approaches in the educational area. In India the ICT has also contributed immensely to social and economic improvements, such as higher employment and productivity, increasing access to a higher quality of life. Moreover, benefits of ICT can be achieved in India directly, through improved healthcare provision and disease prevention, or indirectly, through improved social infrastructure, economic growth, or other broader determinants of population health.[10]

The delegation of Romania present at the same WSIS Forum informed about national-level support measures of e-learning as mentioned in the Romanian Strategy E-Romania 2010-2013.[11] Various conferences and working groups were supported by the Romanian government, such as the International Conference on Virtual Learning or the National Conference on Virtual Learning. [12]

E-learning software was developed for universities, such as Romanian Simple Linux for Medical Students, the first Romanian Linux Educational Platform. Romania established the ICT-Centric Innovation priorities which can be summarized such as innovation, to encourage Europe to compete in the global competition and benefit from all the forces it has, cybersecurity, to set security in a digital world that has no border, and to develop the necessary skills required for new technologies.[13]

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[10] *Ibidem.*

[11]***Strategia națională e-Romania 2010-2013,* 9th March 2010, in http://www.monitoruljuridic.ro/act/strategia-nationala-din-9-martie-2010-e-romania-2010-2013-emitent-guvernul-publicat-n-monitorul-oficial-nr-276-din-28-aprilie-118294.html

[12] http://cniv.ro accessed on 23 May 2021.

[13] ***WSIS Forum 2019, *Information and Communication Technologies for achieving the sustainable development goals* in https://www.itu.int/net4/wsis/forum/2019/

IV.   PERSPECTIVES

While reflecting on the perspectives of e-learning in the light of the current experience of UNESCO and based on the 2030 Agenda, some considerations can be suggested about future events and activities in which UNESCO's practice in the field may prove to be valuable in many regards.

Encouraging developments are expected with the expansion of the UN Audiovisual Library which is a virtual training and research center featuring content from leading international law scholars, judges, and practitioners from different countries and legal systems who contribute to its three pillars: the Lecture Series, the Historical Archives and the Research Library.

The Lecture Series contains over 575 lectures, accompanied by lists of related materials linking to reference documents available online. The Lecture Series contains individual lectures on a broad range of topics of international law. The lectures and related legal materials are intended to provide a more comprehensive educational resource for academic institutions and government training centers in developing countries. During the period 2018-2019, 45 new lectures were recorded for the Lecture Series.[14]

There are reasons to believe that more lectures will enrich the UN Audiovisual Library, including topics directly related to UNESCO's activities and relevant for 193 UN members. At the regional level, in Asia, useful initiatives may emerge from the UNESCO Mahatma Gandhi Institute of Education for Peace and Sustainable Development (MGIEP) established in 2014 and based in New Delhi.

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[14] ***United Nations, General Assembly, *United Nations Program of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law;* For details see the information available at https://undocs.org/A/74/496 accessed in May, 2021.

This is UNESCO's category 1 Research Institute that focuses on Sustainable Development Goal (SDG) 4.7 towards education for building peaceful and sustainable societies across the world. According to its mandate, this Institute seeks to reorient learning spaces that promote sustainable lifestyles, a culture of peace and nonviolence, and an appreciation of cultural diversity. In line with its vision of 'Transforming Education for Humanity,' the Institute's programs and products are designed to mainstream Social and Emotional Learning in education systems, innovate digital pedagogies, and put youth as global citizens at the center of the 2030 Agenda for Sustainable Development.[15]

In the opinion of Dr. Anantha Daraiappah, Professor and the Director, UNESCO MGIEP:

> " There is a need to rethink the purpose of our education system. We must move away from an education system that focuses only on ensuring that we are employable and active agents for economic prosperity to one that focuses on providing "human flourishing."[16]

An auspicious occasion for the UNESCO MGIEP to bring valuable contributions in its own fields of activities will be offered by the celebration in 2021 of **the International Year of Peace and Trust,** decided by the UNGA on 12 September 2019. In accordance with resolution A/RES/73/338 co-sponsored by many countries including India, "the International Year of Peace and Trust constitutes a means of mobilizing the efforts of the international community to

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[15] For a general presentation of the MGIEP see https://mgiep.unesco.org/ accessed on 23 May 2021.

[16] Anantha Daraiappah, *For an Education that Fosters Human Flourishing. Does the current education system prepare young learners to develop more peaceful and sustainable societies? Do education systems need to be re-thought to achieve human flourishing?* in https://thriveglobal.in/stories/for-an-education-that-fosters-human-flourishing/accessed on May 24, 2021.

promote peace and trust among nations based on, inter alia, political dialogue, mutual understanding, and cooperation, in order to build sustainable peace, solidarity, and harmony." [17]

In the process of celebrating this Year, UNESCO Member States could make an effort to further define trust as a value binding them in their mutual relations, having in mind that trust is a central part of all human relationships, including partnerships, business operations, education, politics, and diplomatic practices. The concept of confidence-building measures which is already familiar in multilateral diplomacy practiced under the UN system might provide some useful guidance in defining trust.

Such an initiative by UNESCO would be in full harmony with the invitation addressed by the UNGA to all Member States, to all organizations of the UN system, including UNESCO and other relevant international and regional organizations and civil society, non-governmental organizations, individuals, and other relevant stakeholders, to facilitate the observance of the International Year of Peace and Trust, in an appropriate manner and to disseminate the advantages of peace and trust, including through educational and public awareness-raising activities.[18] E-learning cannot be absent from this vast process.

In a document circulated in the UN General Assembly, the world forum noted " the leading role of the United Nations in promoting dialogue among the Member States to develop common understandings on the security of and in the use of ICTs, as well as in developing common understandings on the international

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[17] *** United Nations, General Assembly, *International Year of Peace and Trust, 2021,* 12 September 2019, in https://undocs.org/en/A/RES/73/338.
[18] *Ibidem,*

legal regulation of the activities of States in the ICT field and norms, rules and principles for responsible State behavior in this sphere, and that the United Nations should encourage regional efforts, promote confidence-building and transparency measures and support capacity-building and the dissemination of best practices".[19]

E-learning will have the chance in the years to come to further demonstrate its valuable contribution in all worldwide humanistic activities.[20]

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[19]***United Nations, General Assembly, *Developments in the field of information and telecommunications in the context of international security*, *https://undocs.org/en/A/C.1/74/L.50*

[20] The World Summit on the Information Society Forum 2020 was scheduled to take place in April 2020 in Geneva. For details see https://www.itu.int/net4/wsis/forum/2020/ . As already announced, after careful consideration and in light of the global health crisis and pervasive travel restrictions, the co-organizers decided to hold the WSIS Forum 2020 in a virtual format. The WSIS Forum 2020 strived to create a meaningful virtual experience for WSIS stakeholders and to scale the event to reach a wider audience.

The path to the Themis Frontex Operation: Italy and SAR operations in the Central Mediterranean Sea

Mihaela Mustățea[*]

Abstract

To challenge the consolidated illegal migration routes, in February 2018, the European Union Frontex Agency launched a new sea border control mission. Named Operation Themis, it aimed to replace the Triton Operation (conducted by Italy since 2014) and support the Italian government with new border surveillance and securitization approach in the Central Mediterranean Sea. The Themis Operation has taken a different mandate from its predecessor: a stronger focus on law enforcement and border security, a reduced mandate of sea patrolling, this time much closer to the Italian territorial waters (circa 30 miles zone closed to the Italian shore). But the most important novelty was that the rescued migrants would have been disembarked in the closest port to the point where the rescue at sea was carried out, instead of bringing them only in the Italian ports, like in the case of Triton. Finally, it is not foreseen to transfer rescued people to third countries, outside the European Union. As a consequence, the Maltese government has rejected being a part of the Themis operation, assuming that this could lead to an increase of migrants disembarking only in Malta. This attitude has reflected the disunity among EU states of how to handle massive migration via the Central Mediterranean.

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This study presents the main stages that led to the new Frontex operation and how the 'migration crisis' has affected Italian immigration politics, particularly during Matteo Salvini's tenure in the Ministry of the Interior. Also, it includes a press review, an analysis of the official information provided by the Frontex Agency, and the most relevant secondary sources on this issue.

I. Introduction

The massive number of migrants, refugees, and asylum seekers traveling in mixed migratory movements continues to represent a major political and humanitarian global challenge. Since maritime illegal migration to the European Union's shore increased dramatically in 2011, in the context of the Arab Spring, the European Border and Coast Guard Agency, Frontex, tried to respond by deploying several sea Joint Operations. But none of the main European Joint Operations, conducted by Frontex, had a specific mandate to rescue people or to include civilian and commercial shipping fleets in its activity. They all concentrated more or less on combating and intercepting different cross-border crimes, most of which were related to the flows of migrants, leading to what the European Union space became to be known as *Fortress Europe*.[1]

Many scholars suggest that Frontex and the EU member states have chosen to reduce or, worse, to abdicate from their legal responsibility of saving lives at sea, thus violating the human rights of people who are attempting to cross the Mediterranean Sea to reach Europe. To this structural challenge, Europe is still responding with more stringent border closures and by outsourcing

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[1] For more information about the role of the Frontex Agency in the militarization and securitization the EU border, see Ainhoa Ruiz Benedicto, *The role of Frontex in the militarisation and securitisation of migration flows in the European Union*, Centre Delàs d'Estudis per la Pau, Barcelona, 2019.

(externalization) its migration burdens to neighboring countries, particularly North Africa. Transferring the responsibility for Search and Rescue operations to Southern partners, the EU has disassociated the rescue missions from territorial access, denying the international protection right of any asylum-seekers among those intercepted or rescued who have no access to an equitable and effective asylum procedure in Europe.

Criminalizing civilian actors such as NGO vessels, which conducting rescue missions since 2015, and outsourcing border management to the Libyan Coast Guard, the EU has drastically decreased its capacity to Search and Rescue (SAR) responsibility, turning the Mediterranean Sea into the deadliest sea for people who fled, mainly from Africa and the Middle East.

Alongside the European obstructive asylum measures, the large illegal migration flows to the EU was presented by the media and the extreme right parties essentially through a discourse of insecurity, immigrant criminality, and criminalisation.[2] As it is known, the anti-immigration sentiment was highly politicized in the UK domestic politics, associating migration with the EU and warned that Britain did not have control of its borders and migration policy as long as it remained in the EU. In a referendum held on 23 June 2016, the majority of those who voted chose to leave the European Union.

Moreover, the border securitization practices implemented by the EU agencies were coupled with the "push back policies", conducted by the member states, like Italy that signed with Libya, in February 2017, after two similar

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[2] Sergio Carrera, Roberto Cortinovis, *Search and rescue, disembarkation and relocation arrangements in the Mediterranean. Sailing Away from Responsibility? CEPS Paper in Liberty and Security in Europe No. 2019-10, June 2019* in http://aei.pitt.edu/100390/; Katya Franko, *The Crimigrant other. Migration and penal power,* London and New York, Routledge, 2020.

agreements, in 2008 and 2012,[3] **The Memorandum of Understanding** (MoU) on development, cooperation, illegal immigration, human trafficking, fuel smuggling, and reinforcement of border security.[4]

The Italian strategy was part of a broader European approach, such the EU-Turkey deal,[5] and indeed the new Italian-Lybian arrangement was endorsed the very next day by the European leaders in the "Malta Declaration."[6] A few days later, on 9th February 2017, Italy signed a similar framework agreement with

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[3] We have to mention that the cooperation between Italy and Libya to suppress migration is not a recent issue. With the Friendship Treaty stipulated in Benghazi in 2008, ratified in 2009, and then with the Tripoli Declaration of 2012, the contracting parties would undertake to promote a system of land border control in Libya and Italy would undertake to finance the plan for the realization of this system. In the Treaty of Friendship, except for some general principles to be respected underlined in the first seven articles, with a vague reference to respect for the fundamental rights of individuals - the Charter of the United Nations and the Universal Declaration of Human Rights are cited - there are no particular references to respect for the fundamental rights of those who migrate to the Mediterranean. In 2012, with a historic international decision, Italy was unanimously condemned by the European Court of Human Rights for having returned the migrants recovered in the international waters to Libya, violating several articles of the ECHR (European Convention on Human Rights), *the Hirsi Jamaa v. Italy case* in
https://unipd-centrodirittiumani.it/it/schede/Hirsi-Jamaa-e-altri-c-Italia-illegali-i-respingimenti-verso-la-Libia-del-2009/249

[4] *** *Memorandum of understanding on cooperation in the fields of development, the fight against illegal immigration, human trafficking and fuel smuggling and on reinforcing the security of borders between the State of Libya and the Italian Republic.*
https://eumigrationlawblog.eu/wp-content/uploads/2017/10/MEMORANDUM_translation_finalversion.doc.pdf

[5] On 18 March 2016, the EU and Turkey reached an agreement providing for 'rapid return of all migrants not in need of international protection crossing from Turkey to Greece and to take back all irregular migrants intercepted in Turkish waters.' The EU-Turkey deal has helped sharply reduce illegal crossings into Greece, but it had grave human rights consequences, becoming for the Ankara government an useful financial instrument of pressure on the European Union. On the other hand, in 2021, the EU annual report on Turkey suggested, for the first time, that Ankara was no longer serious about delivering on EU-backed reforms and the continued deterioration of democracy cause Turkey's accession negotiations to come to a standstill
https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/

[6] ***Council of the European Union, *Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean route*, 3th February 2017,https://www.consilium.europa.eu/en/press/press-releases/2017/02/03/malta-declaration/

Tunisia, another fragile state with weak government institutions and no adequate refugee protection system.[7]

In 2016 Libya represented the main embarkation point for migrants and refugees arriving in Italy: 138,422 migrants arrived in Italy from main departure hubs, like Zuwarha or Tripoli, with a total of 181,436 migrants, refugees, and asylum seekers arriving only by sea.[8] If we consider that 90% of those who embarked for Italy come from the Libyan coast, the potential scope of the agreement can be thus explained. Scholars argued that before any Joint Operation on surveillance and patrolling coordinated by Frontex can take place, it is the main responsibility of the country concerned, in this case Italy, to first conclude a bilateral agreement with the third countries, known as transit/departure main hubs of the clandestine migration.[9]

To summarize, the deal stipulated Libya's commitment to block the passage of migrants from Central Africa, closing the southern border and intercepting/blocking the boats departing from its coasts. In return, Italy

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[7] Italy has been relying upon cooperation with African countries since the 1990s. In 1998, the frst agreement between Italy and Tunisia set out a bilateral cooperation to prevent and combat illegal immigration. Also the Italian government committed to finance the establishment of detention centers in Tunisia and provide the Tunisian police forces with means and equipment to patrol the coastline. Similar agreements have been signed with Algeria, Egypt and Libya. For more information, see Andrea Terlizzi, *Narratives in power and policy design: the case of border management and external migration controls in Italy*, in "Policy Sciences", no. 54, 2021, pp. 749–781 https://doi.org/10.1007/s11077-021-09440-4: Elizabeth Collett, *New EU Partnerships in North Africa: Potential to Backfire?* February 2017,
https://www.migrationpolicy.org/news/new-eu-partnerships-north-africa-potential-backfire

[8] Arcangelo Rociola, *Dalla Libia arriva il 90 percento dei migranti in Italia. 138 mila nel 2016*, 3th February 2017 in
https://www.agi.it/estero/libia_immigrati_italia_accordo_infografica-1444037/news/2017-02-02/

[9] Sergio Carrera, *The EU Management Strategy. Frontex and the Challenges of Irregular Immigration in the Canary Island*, CEPS Working Document No. 261/March 2007, p. 21
https://www.ceps.eu/ceps-publications/eu-border-management-strategy-frontex-and-challenges-irregular-immigration-canary/

committed furnishing technical and economic support to Libyan bodies and institutions in charge of the fight against illegal immigration, including the Libyan Coast Guard and the staff from the "reception centers," described by observers, since the beginning, as an inhumane place, where migrants and refugees captured had to wait for their voluntary or forced return to home countries. As Carrera argued, this policy did not only move "the border" outside the EU and destroy the territorial link that would create States' obligations, it also delegated "the responsibility" over the migrants to the hands of a third state.[10]

Since 2017, a total of 32.6 million euros were granted to the Libyan Coast Guard for boats, training, and other assistance to patrol the sea and pull back refugees and migrants, and another 960 million euros were distributed to the EU naval missions, deployed in the Central Mediterranean, leading by Italy, all of these costs being supported by the Italian taxpayers.[11] In the first year of the agreement, about 20,000 people were reported to have been intercepted by the Libyan Coast Guard and taken back to the detention centers in Libya, remaining trapped in these abusive detention camps.[12]

Serious concerns regarding Frontex's activities in Libyan territorial waters and their impact on the death toll at sea were raised, for example, in 2007 when these violations have been presented to the LIBE Committee of the European

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[10] *Ibidem*, p. 26.

[11] ***Libia, migranti: aumentano di nuovo di mezzo milione di euro i fondi italiani alla Guardia Costiera libica* in "la Repubblica", 3th July 2021
https://www.repubblica.it/solidarieta/immigrazione/2021/07/03/news/libia-308769119/

[12] ***Amnesty International, *A year after Italy-Libya migration deal, time to release thousands trapped in misery*, 1st February 2018,
https://www.amnesty.org/en/latest/news/2018/02/a-year-after-italy-libya-migration-deal-time-to-release-thousands-trapped-in-misery/; Associated Press, *Scarred by Libya Abuse, Migrants Hope for New Life in Europe*, September 13, 2019 https://www.voanews.com/a/middle-east_scarred-libya-abuse-migrants-hope-new-life-europe/6175759.html

Parliament. In 2010 a group of MEPs voiced have doubted on Frontex's respect with the migrants' fundamental rights, based on a report that it was commissioned to Migreurop and which included a large number of testimonies from migrants.[13]

European humanitarian rhetoric has been strategically mobilized to justify and legitimize the new migration approach based on externalization of migration controls, using the formula "blocking departures for saving lives", in other words, migrants and refugees had to avoid dangerous journeys, staying closer to their home country. The new measures have been "validated" by the "need" to fight human trafficking, protect human life at sea, and curb migratory pressure on Europe.

A disengagement of national and the EU actors from SAR activities in the Central Mediterranean, accompanied by the progressive delegation of containment tasks to Libyan authorities, including in the form of "pullbacks" policy has translated into a new Frontex Joint Maritime Operation, Themis, launched in 2018. Additionally, the withdrawal of the naval means and SAR-related activities of EUNAVFOR-MED operation Sophia, which had doubled the Triton operation, eventually provoked the cease of the Sophia military mission, in September 2019.

At the moment, none of the main operations carried out by Frontex in the Central Mediterranean doesn't aim for a sole and specific mandate to rescue people. The Search and Research operations did remain part of their objectives, but these operations' ultimate aims are to control borders, train the Libyan

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[13] ***The mandate of frontex is incompatible with human rights in* http://www.frontexit.org/images/Bilan%20ENG.pdf

Coast Guard, and enforce the UN arms embargo to Libya, treating the very act of illegal migration as a risk to national security.

II.   Mare Nostrum (October 2013-August 2014)

In 2013, for the first time, a border patrol mission received a specific mandate to rescue people, besides protecting and securitizing the Mediterranean EU border. Being a military and humanitarian mission, the Mare Nostrum operation was launched by the Italian government in October 2013. It was an immediate response to the Lampedusa shipwrecks that raised the number of people deaths, in only a few days, to 636, shocking the world's public opinion. The mission aimed to search and rescue migrants in the Sicily Channel to prevent other similar disasters. Mare Nostrum represented the most significant step in the process of the institution of so-called "humanitarianism of the EU sea border",[14] a human and compassionate European response to the sea-crossing asylum seekers, but regrettably, it was a very short action and it was never replicated.[15]

Being a unilateral action of a member state, Mare Nostrum was confronted with criticism both in Italy and at the EU level. Eventually, after just one year, the Italian government decided to shut down the Mare Nostrum operation due to many critics, including from the European institutions which accused the Italian mission of operating too close to the Libyan shore, being considered a "pull factor"

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[14] Paolo Cuttitta, *Delocalization, Humanitarianism and Human Rights: The Mediterranean Humanitarian Border between Exclusion and Inclusion*, in "Antipode", 2017, https://doi.org/10.1111/anti.12337; Katya Franko Aas, H. Gundhus, *Policing Humanitarian Borderlands: Frontex, Human Rights and the Precariousness of Life*, British Journal of Criminology 55/1 (2015) pp. 1–18; P. Pallister-Wilkins, *The Humanitarian Politics of European Border Policing: Frontex and Border Police* in "Evros", International Political Sociology 9/1 (2015) pp. 53–69;

[15] For more information, see Mihaela Mustatea, *Italy and the Mare Nostrum Operation (October 2013-October 2014)* in "Euro-Atlantic Studies", no. 2, 2019, pp. 103-128;

for migrants. Also, the operation became a politically and economically unsustainable mission for Italy. Ceasing the operation, Italy wanted to send a message to its neighbouring countries and to the whole of Europe that it was not able to cope alone, the Mare Nostrum required huge financial costs (9,5 million euros per month), unsustainable for a single country, and that Europe should act and share the migration burden.[16] The Italian government asked for setting up the humanitarian reception centers in Africa, in particular in Libya, the sea rescue operations had to be done by Europe through Frontex operations, the Frontex office should have to be transferred in Italy, not to remain in Warsaw (sic!), and finally, since the migrants didn't want to remain in Italy, they should have had the possibility to exercise the right of political asylum also in the rest of the EU, revising and replacing the current Dublin Regulation system.[17] In the final phase of Mare Nostrum, the Italian authorities had consistently used a discourse of blaming the EU at the high-level meetings for the lack of support in the management of the irregular immigration phenomenon.

The European Commission replied that there had been deployed all the means at their disposal to support Italy in managing the flows of migrants in the Mediterranean, and the failure of relocating refugees to other EU countries was due to the lack of consensus of the member states. Moreover, to ensure solidarity and responsibility-sharing between the Member States, it should have been specified that disembarkation does not necessarily imply sole responsibility of the state on whose territory persons rescued at sea were disembarked, but this specific

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[16] ***Senato della Repubblica, Legislatura 17ª - Dossier n. 210, *Da Mare Nostrum a Triton*, in https://www.senato.it/japp/bgt/showdoc/17/DOSSIER/0/912705/index.html?part=dossier_dossier1-sezione_sezione11-table_table7

[17] Mihaela Mustatea, *op.cit*, p. 122.

provision could have had the effect of imposing obligations on the Member States.[18]

Italy received over 140,000 migrants in 2014, at the astonishing pace of 15,650 arrivals per month or 516 arrivals each day, most of them rescued at sea by Italy under its Navy operation Mare Nostrum.[19] The entire operation of Mare Nostrum was conducted by the Italian Navy under the Ministry of Defense, with more than 900 personnel dedicated to this operation. The migrants rescued as part of the 563 interventions were 101,000, of which 12,000 unaccompanied minors; 499 bodies were found, while the missing, based on the testimony of the survivors, could be more than 1,800; 728 smugglers were arrested and eight boats seized.[20]

During the rotating presidency of the EU, in the second semester of 2014, Italy tried to focus the European agenda on the illegal sea migration, stressing that the Mediterranean migration crisis is an EU concern, not just an Italian one, and the EU Member States had to take a common approach and accept the principle that EU member states must share the burden of increased migration flows. On 27th August 2014, after a meeting with the European Commissioner for Internal Affairs, Cecilia Malmström, the Minister of the Interior Angelino Alfano announced the end of the Italian operation and its replacement with a European joint sea initiative "Frontex Plus", later named the Triton operation.

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[18] *** la Repubblica, *Immigrati, UE:"Italia dica cosa vuole. A marzo non rispose." Alfano:"Sono parole ridicole"*, 13th May 2014 in
https://www.repubblica.it/politica/2014/05/13/news/immigrati_il_gelo_della_ue_italia_dica_cosa_v uole_a_marzo_non_ci_ha_risposto-86002466/

[19] *** UNHCR, *So close yet so far from safety,* in https://www.unhcr.org/54ad53b69.pdf

[20] *** Senato della Repubblica, *op.cit*.
https://www.senato.it/japp/bgt/showdoc/17/DOSSIER/0/912705/index.html?part=dossier_dossier1-sezione_sezione11-table_table7

III.   Triton (November 2014 - February 2018)

In 2006, for the first time in the history of Frontex, Spain used Article 8 of the Council Regulation 2007/2004, which foreseen the possibility for a member state to call for support by the Frontex Agency when confronted with circumstances requiring increased technical assistance, with an attempt to raise awareness of the exceptionality of the Canary Islands case and the need for a rapid and immediate action coming from the EU. The Spanish authorities presented the Canary Islands case as "an unprecedented humanitarian crisis in the whole of Europe" and as "a massive invasion of illegal immigrants" and for which an "urgent European solution" was needed. The pressures by the Spanish authorities led to the launching of the joint operations HERA I, HERA II, and HERA III.

The fact that the two first Joint Operations were launched without it being completely clear what was needed to do, shows how, at that time, it was more important to find an immediate solution to the political pressures, Frontex becoming the only institutional response to the emergency in Europe, deploying its Joint Operations. Hera Joint Operations aimed to reinforce the control of the zone between the occidental African coast and the coast of the Canary Islands. This operation sought to discourage the *cayucos* (small, open wooden boats) transporting irregular immigrants to set off from the African coasts. However, if the boats were already found at sea, the goal pursued was to intercept them in the territorial waters of the third country and then the authorities of the sending country would deal with the actual handling of the immigrants and their subsequent return to their territory. Only if the vessels were intercepted outside the 24-mile zone, they would be escorted to the territory of the Canary Islands and be offered the possibility to submit an asylum claim. The Hera operation is very

important because it established, for the first time in the course of a joint operation, a process of border control externalization and prevention of "irregular immigration."[21]

In 2014 the new Italian government led by Matteo Renzi, which started its mandate in February, and the Italian Interior Minister, in particular, called for the EU to take over the Italian mission, Mare Nostrum. Various discussions followed with European leaders and the EU Home Affairs Commissioner, Cecilia Malmström. In October 2014, the Italian government concluded the Mare Nostrum Operation and the EU launched Frontex's Joint Operation Triton.[22]

The presence of the naval vessels of Mare Nostrum close to the Libyan coast changed the trends and patterns of sea trips from Libya. It stressed that if the Mare Nostrum operation had continued the activity then a constantly high number of arrivals would have been expected not only in the summer, but also during the wintertime when migrants would normally not attempt crossing the sea. On the other hand, the withdrawal of naval assets from the Mare Nostrum area, if not properly had planned and announced well in advance, would have been resulted in a higher number of fatalities.

In essence, the Mare Nostrum operation was set up to conduct SAR activities, while Triton it was going to be a mission whose primary purpose was

[21] For more information about Hera I, II, III Frontex Operation see Sergio Carrera, *The EU Management Strategy. Frontex and the Challenges of Irregular Immigration in the Canary Island*, CEPS Working Document No. 261/March 2007, p. 12,
https://www.ceps.eu/ceps-publications/eu-border-management-strategy-frontex-and-challenges-irregular-immigration-canary/

[22] Stefania Panebianco argued that Italy asked for a "New Deal" between the EU Member States, regarding illegal arrivals, with a new burden-sharing scheme and an active part in the relocation mechanism, not just by the riparian states, an effort which had to be made by all to reform European asylum law in *The Mare Nostrum Operation and the SAR approach: the Italian response to address the Mediterranean migration crisis,* "EUMedEA Working Papers", May 2016.

the border control. Compared with Mare Nostrum, Triton had significantly reduced assets and its main area of patrolling, covered only 30 miles, a far smaller area than that overseen by Mare Nostrum. After more than 1,200 migrants died in two shipwrecks in April 2015, Frontex expanded Triton's reach to 138 nautical miles off the Italian coast, partially overlapping the Maltese Sar area. The reinforcement of the Joint Operation also included another €38 million allocated for a single year, a deployment of rapid intervention forces, including experts in filtering out arrivals by questioning them and analyzing their fingerprints. Simultaneously, following the extraordinary European Council of 23 April 2015, EU Foreign and Defence Ministers agreed to create a naval force, EUNAVFOR Med, and to launch a Common Security and Defence Policy (CSDP) operation in the Mediterranean on 18 May 2015. The military mission had the objective to disrupt the criminal networks of smugglers and traffickers. The Italian-commanded force was in Rome and operate in the southern and central Mediterranean, in co-operation with the Libyan authorities. On 7 October 2015, the operation moved on to Phase II - now renamed Sophia, in international waters. A resolution of the UN Security Council under Chapter VII of the UN Charter was required to enable the operation to be carried out in compliance with international law. On 9 October 2015, the UN Security Council adopted The Resolution *against the trafficking of migrants and the smuggling of people at sea in the Mediterranean*. Under Chapter VII, the Security Council authorized the relevant member states to inspect boats sailing in high seas off the Libyan coast for a year, if the member states had reasonable cause to suspect that the boats were being used for migrant trafficking or human smuggling. The resolution did not authorize the EU to intervene in Libyan territorial waters. On 14 June 2016, the Security Council unanimously

adopted resolution 2292/2016 authorizing the inspection of suspected embargo-breaking vessels off Libya's coast. The resolution represented a significant political approval.[23]

The military naval mission rather seemed to be one who had the objective to "protect' the 'protectors' of EU borders and support action against smugglers/traffickers, marking a move from 'defensive' to 'offensive' borders that proactively seek to destroy the (only) means of mobility left to unauthorized crossers – even at the expense of the human rights (and life) of 'boat migrants'.[24]

Triton operation included in its mandate the Search and Rescue activity, but since the majority of migrant ships in distress were outside its patrol area, the death tolls in the central Mediterranean Sea continued to increase.

The treaty signed in 2014 with Frontex provided the obligation for Italy to take care of the migrants even if they have arrived onboard the foreign ships. In other words, the Triton operation brought all the migrants rescued at sea to Italy and set aside international rules governing migrant disembarkation.[25] Moreover,

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[23] For more information about Sophia operation, see https://www.europarl.europa.eu/legislative-train/theme-towards-a-new-policy-on-migration/file-eunavfor-med-operation-sophia

[24] Violeta Moreno-Lax, *The EU Humanitarian Border and the Securitization of Human Rights: The 'Rescue-Through-Interdiction/Rescue-WithoutProtection' Paradigm*, in "Journal of Common Market Studies", Volume 56, No. 1, p. 127,
https://www.alnap.org/system/files/content/resource/files/main/Moreno-Lax-2017-JCMS%253A_Journal_of_Common_Market_Studies.pdf

[25] International law states that people rescued at sea need to be taken to the closest safe harbor and the disembarkation of rescued asylum-seekers and refugees in territories where their lives or freedoms would be threatened must be avoided. Moreover, the principle of non-refoulement is of particular relevance to asylum-seekers. As such persons may be refugees, it is an established principle of international refugee law that they should not be returned or expelled pending a final determination of their status. The principle applies not only to recognized refugees, but also to those who have not had their status formally declared in UNHCR, *Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol*, https://www.unhcr.org/4d9486929.pdf

an informal agreement between Italy and Malta that was put in place in 2013 by the then Center-left Prime Minister of Italy, Enrico Letta, and that was subsequently continued by successive Socialist Italian governments, dictated that Italy would be responsible for saving migrants in and around its borders, including in Malta's SAR.[26] According to this "secret deal" Malta was supposed to give up oil exploration areas in return for Italy taking most rescued migrants in the Mediterranean.[27] Malta had always insisted that rescued migrants should be taken to the closest safe port of call, which in many cases was Lampedusa, even if the migrants would have been rescued in Malta's SAR.

While the Maltese government denied the existence of such a deal, Home Affairs Minister Carmelo Abela originally said that there was an informal agreement between the two countries, later changing tune and correcting himself, saying there was "close collaboration."[28]

The European Commission said that it had not found any evidence of any bilateral agreement between the Maltese and Italian authorities concerning Search and Rescue (SAR) operations in the Mediterranean Sea. However, the Commission noted that the operational area of Joint Operation (JO) Triton hosted by Italy, also with the participation of the Maltese assets, covered a large part of the Maltese SAR area defined under the 1979 International Convention on Maritime Search and Rescue. The disembarkation rules for migrants intercepted/rescued during the

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[26] Matthew Lowell, *How Europe's migration crisis is heating up the Italy-Malta relationship this summer*, 5th July 2018 in https://www.atlanticcouncil.org/blogs/new-atlanticist/how-europe-s-migration-crisis-is-heating-up-the-italy-malta-relationship-this-summer/

[27] Kevin Schembri Orland, *Malta-Italy migration 'secret deal' resurfaces in the international media*, 9 April 2016, in https://www.independent.com.mt/articles/2016-04-09/local-news/Malta-Italy-migration-secret-deal-resurfaces-in-the-international-media-6736156026

[28] *Ibidem.*

OJ Triton were set out in the Operational Plan agreed by Frontex, Italy as a host Member State and the other participating Member States under the Article 3a (1)(i) of the Frontex Regulation. The participating units had been authorized by Italy to disembark on its territory all persons intercepted in its territorial sea as well as in the entire operational area. It should also be noted that most of the SAR cases occurred outside of the pre-defined operational area, largely within the Libyan SAR area.[29]

We have to mention that other Frontex naval Joint Operations operated simultaneously with Triton, having the same rules. The Poseidon Joint Operation was the EU response to the large numbers of migrants arriving at Europe's borders along the Balkan route and from North Africa. The operation, led by Greece, began in 2006 as part of the **European Patrols Network** (EPN), together with other operations involving joint patrols, such as Hera, Indalo, and Minerva.

The officers, vessels, and other surveillance assets, deployed by Frontex in these operations, assisted the national authorities with border surveillance and none had the sole and specific mandate to rescue people, but rather to combat and intercept cross-border crimes. All of these operations had a host country that conducted the entire mission. The operational plan of Triton mentioned that Italy was the host country of the mission and all activities were led by the Italian Coast Guard.

The Joint Operation Triton replaced two other Frontex Joint Operations, with Italy as a host state, which emerged after the outbreak of the Arab Spring and

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[29] Triton Operational Plan
https://www.asktheeu.org/en/request/2502/response/8802/attach/5/OPLAN%20TRITON%202014.pdf?cookie_passthrough=1

after a formal request made by Italy. The JO EPN Hermes had started on 20th February 2011 and Aeneas Frontex Joint Operation, the last one mainly focused on migratory flows from Egypt and Turkey (via Greece) to Italy.

On 15 February 2014, Frontex had received a formal request for assistance from the Italian Ministry of Interior regarding the extraordinary migratory situation in the Pelagic Islands. The Italian Government requested assistance in strengthening the surveillance of the EU's external borders in the form of a Joint Operation. In addition, Italy requested a targeted risk analysis on the possible future scenarios of increased migratory pressure in the region in the light of the latest political developments in North Africa and the possibility of the opening up of a further migratory front in the Central Mediterranean area.[30]

The **JO EPN Aeneas 2014** started on 1 June until 30 September 2014. The Operational Plan defined two operational areas: Apulia and Calabria, covering the coast along the Ionian Sea and a part of the Adriatic Sea remaining active in 2014 to adjust the operational areas to seasonal migration flows. Indeed, in comparison with 2013 (64,647), in 2014 (28,953), the number of persons intercepted by JO Hermes was reduced significantly, mainly due to the massive action of the Mare Nostrum operation that intervened more to the south, intercepting persons in the Libyan waters, before reaching the Frontex JO areas.[31]

Thus, JO Triton was intended to support the Italian efforts, and not to replace or substitute Italian obligations in monitoring and surveying the Schengen

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[30] *** Frontex, *Concept of reinforced joint operation tackling the migratory flows towards Italy: JO EPN Triton to better control irregular migration and contribute to SAR in the Mediterranean Sea* in https://deathbyrescue.org/assets/annexes/2.Frontex_Concept_JO_EPN-Triton_28.08.2014.pdf

[31] Mihaela Mustatea, *From the Italian Mare Nostrum Operation to the Frontex Triton Operation (November 2014-February 2018). Italy and Search and Rescue Operations. (SAR)* in "Euro-Atlantic Studies" New Series, no. 3/2020, p. 76.

external borders. The Triton Operational Plan specified that the rescued people, intercepted and arrested in its territorial waters, as well as in the entire operational area beyond its territorial waters, must be "taken to a safe place in Italy" and that "none of the rescued people (...), even outside the operational area, can be landed on the territory of a third country"." In the event of a rescue in the territorial waters and contiguous areas of Malta, or to ensure the protection of the lives of people in difficulty, it could possible to disembark in Malta". It is therefore possible, not required. According to the official plan, wanted by Italy, the landings "could" also take place in Malta. But it could have been an exception and only in certain particular cases, not being a rule, at all.

A shared solution for the migration issue did not find support among other EU countries, primarily the other Mediterranean countries, Malta, Spain and France. The government's request for opening the other European ports received criticism from Antonio Tajani, the president of the European Parliament who argued that "there was a signed treaty and the ministry thinks it needs to be changed. We make mistakes first and then we always try to ask to change things," declared the EU official.[32]

To counteract the EU's withdrawal from Search and Rescue activities during the Triton operation, civilian actors and NGOs stepped in to fill the gap. Until 2015, the Member States in the Mediterranean had discouraged private vessels from fulfilling their international obligations to rescue people in distress but did not prosecute them for it. This changed after the expansion of Frontex's

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[32] Marco Bresolin, *Triton è una missione dell'Italia, non tocca a noi cambiare regole,* in "La Stampa, 11th July 2017
https://www.lastampa.it/esteri/2017/07/11/news/triton-e-una-missione-dell-italia-non-tocca-a-noi-cambiare-regole-1.34449831/

powers in 2015, and EU members began actively prosecuting NGOs involved in rescue activities, seizing and impounding their vessels, and charging crew members with facilitating illegal immigration.

It is also worth highlighting that during a Triton SAR activity, according to the Italian authorities, a small fiberglass boat in the area displaying a Libyan flag with persons pretending to be fishermen approached two NGOs vessels *Minden* and *Topaz Responder.* At a certain point, this fiberglass boat approached one of the NGO vessels 'Minden' and transferred two Libyan citizens from the small boat to the EU vessel claiming that they were migrants. The NGO vessel took them aboard and let the Libyan boat leave the area. After the debriefing activities, the migrants stated that the crew aboard the small Libyan boat were the people smugglers. This is the first reported case where the criminal networks directly approached an EU vessel and smuggled the migrants directly into Europe, using the NGO vessel.[33] Thus, vessels chartered by NGOs were accused of not only encouraging smugglers to set migrants out to sea by sailing as close to Libyan waters as possible but also coming to the rescue when the smugglers called.[34]

In the summer of 2017, Italy started to ask for the opening of other European ports, in the face of a major migrant emergency, and to revise the operational design of JO Triton, even threatening to stop vessels from other

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[33] ***Frontex, *JO EPN TRITON 2016 BIWEEKLY ANALYTICAL REPORT*
https://www.statewatch.org/media/documents/news/2017/apr/eu-frontex-jo-triton-analytical-report-9-12-16.pdf
[34] ***Euroactiv, *Smugglers suspected of using migrant rescue boats as taxis*, 23 March 2017, in
https://www.euractiv.com/section/justice-home-affairs/news/traffickers-suspected-of-using-migrant-rescue-boats-as-taxis/

countries disembarking rescued migrants at its ports. Also, Italy insisted that an EU refugee relocation program should have been implemented:

"There are NGO ships, Sophia and Frontex boats, Italian coast guard vessels" saving migrants in the Mediterranean, Minniti said, referring to the aid boats as well as vessels deployed under EU border security missions. "They are sailing under the flags of various European countries. If the only ports where refugees are taken to are Italian, something is not working. This is the heart of the question," the official said.[35] In the first six months of 2017, 85,183 illegal migrants of 100.000 who landed in Europe, arrived in Italy.

On 4th July 2017, the European Commission unveiled a new plan to help Italy cope with a massive fresh influx of migrants crossing the Mediterranean Sea, mostly Africans setting sail from Libya. The plan presented at the European Parliament in Strasbourg envisaged €35 million in aid for Italy and working with Libya and other countries to stem the flow of migrants at the source. Moreover, it stipulated an enhanced Libyan coast guard able to action in Libyan territorial waters, the establishing of the Maritime Rescue Coordination Centres in Libya, Egypt and Tunisia, an accelerated relocation from Italy to the other Member States, and a Code of Conduct for NGOs carrying out search and rescue, written by Italy.[36]

In August 2017, the Italian Ministry of Interior, Marco Minniti, submitted an EU-supported *Code of Conduct* that aimed to regulate the Search and Rescue

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[35] ***Euroactiv, *Italy urges EU ports to take migrants as pressure build,* 3th July 2017, *in* https://www.euractiv.com/section/global-europe/news/italy-urges-eu-ports-to-take-migrants-as-pressure-builds/

[36] The European Commission, CENTRAL MEDITERRANEAN ROUTE: COMMISSION ACTION PLAN TO SUPPORT ITALY AND STEM MIGRATION FLOWS, July 2017 https://ec.europa.eu/home-affairs/system/files/2017-07/20170704_factsheet_-_central_mediterranean_route_commission_action_plan_to_support_italy_and_stem_flows_en.pdf

operations of NGOs in the Central Mediterranean. NGOs had to sign if they wanted to continue to operate in collaboration with Italian authorities and dock at Italian ports. Because of the Memorandum of Understanding (MoU) with Libya, the new Code of Conduct effectively limited the NGO ships' available scope of rescue to European territorial waters and redirected most responsibility for Search and Rescue to the Libyan authorities, trained and funded by Italy and the EU. The document introduced 13 provisions to be followed by NGOs operating Search and Rescue activity, including the access of the police officers to board on rescue vessels to conduct "investigations related to migrant smuggling and/or trafficking in human beings". Moreover, the signatory NGOs admitted not to enter in Libyan territorial waters and not to obstruct Search and Rescue activities led by the Libyan Coast Guard.[37]

Scholars argued that for Italy, the criminalization of these organizations was necessary to reduce the number of people arriving in the country through a sensitive policy of cooperation with Libya and to hide the impact such policy has on human rights.[38]

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[37] ***Euronews, *Italy's code of conduct for NGOs involved in migrant rescue: text* in https://www.euronews.com/2017/08/03/text-of-italys-code-of-conduct-for-ngos-involved-in-migrant-rescue

[38] Moreover, a CNN shocking investigation showed some migrants sold at auction as slaves in Libya. Although this phenomenon had been known for some time, the video on US TV has sparked a wave of indignation: in France, Germany, and Switzerland there were demonstrations to ask the governments of the European Union to stop financing the Libyan coast guard, which intercepted migrants in the central Mediterranean and bring them back to detention centers, where they suffered beatings, torture, extortion and rape. The buying and selling of human beings in the country had been known for some time, but the explicit and direct images led the UN secretary general António Guterres to define himself "horrified" by the scenes shown. Guterres said those responsible could be accused of "crimes against humanity". In Italy, the CNN investigation did not have the same effect, although Rome played a leading role in training and funding the Libyan coast guard, who stopped the departures of migrants to Europe
in https://www.youtube.com/watch?v=2S2qtGisT34

In Italy, l'Associazione per gli studi giuridici sull'immigrazione (Asgi) raised several legitimity issues of the Italian-Libyan cooperation. According to the ASGI, the Italian government would have used funds for cooperation with Africa to entrust Tripoli with border control and the management of irregular immigration, in contrast with the objectives set for the funding. Moreover, the non-governmental organizations that operated in the Mediterranean have documented aggressive conduct by the Libyan coast guard, blocking other ships presented at the scenes of the shipwreck from proceeding with the rescue operations. On 8 August 2017, the founder of the non-governmental organization Proactiva Open Arms, Oscar Camps, had released a video shot in international waters north of Tripoli, which showed some Libyan coast guard agents firing into the air to intimidate the crew of one of the two ships of the Spanish NGO.[39]

The Italian Navy and the operation center in Rome were also accused of violating the International Convention on Maritime Search and Rescue which requires that the ships closest to boats in distress have to intervene, instead, in many cases, the Italian coast guard asked NGO ships to remain on *standby*, pending the intervention of the Libyan coast guard. At a hearing of the Civil Liberties, Justice and Home Affairs (Libe) Commission of the European Parliament, the Interior Ministry, Mario Morcone, rejected the criticisms leveled at Italy from the United Nations Commissioner for Human Rights and denied the accusations of having conducted push-back practices to Libya.[40]

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[39] Annalisa Camilli, *Perché l'accordo tra l'Italia e la Libia sui migranti è sotto accusa*, 29th November 2017 https://www.internazionale.it/notizie/annalisa-camilli/2017/11/29/italia-libia-migranti-accordo; https://www.internazionale.it/bloc-notes/annalisa-camilli/2017/08/08/guardia-costiera-libica-spari-open-arms

[40] Alessandra Ziniti, *La denuncia della Ong: "Soccorsi in mare ritardati per dare priorità ai libici, noi costretti a guardare impotenti"* in "la Repubblica", 27 November 2017

Data collected by the EU Agency for Fundamental Rights (FRA) shows that 17 NGO ships were involved in legal proceedings between 2017 and June 2020. According to FRA, more than 40 criminal investigations have been initiated by European states since 2017, of which a dozen remain pending. NGOs have nonetheless continued to intervene in rescue activities at their own risk. In the process, some activists have emerged as unlikely celebrities, such as Sea-Watch ship captain Carola Rackete, who squared off against the Italian government, and Pia Klemp, who command the Banksy-funded rescue boat Louise Michel.[41] In 2017 Italy pressed charges against the crew of the German NGO Jugend Rettet's Iuventa for their activities off the Libyan coast.[42]

Since 2017, both Italy and Malta have prevented civil society search-and-rescue vessels from disembarking at their ports. Moreover, Italy and Malta's cooperation with the Libyan Coast Guard to ensure interceptions and returns to Libya was implemented through practices that exposed people to the risk of dying at sea, such as delayed responses to distress calls and their forwarding to the ineffective and abusive Libyan Coast Guard in order to ensure people to be intercepted and returned to torture in Libya, including the allegations of a migrant boat being towed from the Maltese to the Italian Search and Rescue Region.[43]

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https://www.repubblica.it/cronaca/2017/11/27/news/migranti_guardia_costiera_libica-182274317/

[41] Isabella Lloyd-Damnjanovic, *Criminalization of Search-and-Rescue Operations in the Mediterranean Has Been Accompanied by Rising Migrant Death Rate* in https://reliefweb.int/report/world/criminalization-search-and-rescue-operations-mediterranean-has-been-accompanied-rising

[42] Amnesty International, *Italy - a slippery slope for human rights: the Iuventa case*, in https://www.amnesty.org/en/wp-content/uploads/2021/08/EUR3044752021ENGLISH.pdf; https://tg24.sky.it/mondo/approfondimenti/proactiva-open-arms-cosa-e

[43] The Guardian, *We give you 30 minutes': Malta turns migrant boat away with directions to Italy*, https://www.theguardian.com/global-development/2020/may/20/we-give-you-30-minutes-malta-turns-migrant-boat-away-with-directions-to-italy

JO EPN Triton can be regarded as a partial success of Italian diplomacy at the EU level, although the operation was consciously inadequate for rescuing the lives of migrants beyond the territorial waters of European countries. Finally, it has turned into a boomerang for Italy which withdrew its willingness to use the Italian ports, asking for a change of the Triton rules. In February 2018, the European Union's border agency Frontex launched a new Mediterranean operation called Themis, removing the obligation of the previous mission to bring rescued migrants only to Italy. A total of 26 European countries participated in Operation Triton by deploying staff and equipment, rescuing almost 85,000 people.

III. EUNAVFOR MED Operation Sophia (May 2015-March 2020)

Operation **EunavforMed** was an Italian-led European operation born shortly after the tragic shipwreck off the Libyan coast of 18th April 2015 in which almost a thousand migrants lost their lives. The European Union decided to react with the utmost urgency. On that occasion, the European Council reaffirmed the strong commitment to act in order to avoid human tragedies resulting from the trafficking of human beings. The military mission was launched on 22 June 2015 and it is part of the EU's comprehensive approach to migration. On 26 October 2015, the Operation officially took the name of "EUNAVFOR MED Operation Sophia " from the name of the Somali girl born on one of its ships on 22 August 2015 which saved her mother off the Libyan coast. The mission operated in the central Mediterranean with the main objective of combating human trafficking through the seizure of boats. On June 20, 2016, his mandate was extended by adding two further purposes: the training of the Libyan Coast Guard and the

support for the arms embargo on Libya. Operation Sophia was the first EU-wide naval military operation and exemplifies the twist of shifting attention from the migrants themselves to the smugglers/traffickers that facilitate their transit.

One of the responses to the 2015 refugee crisis, was that NATO naval vessels began to patrol the Mediterranean Sea, set a precedent for **joint actions** with NATO patrols to control migration flows, consolidate and militarized the practice in the management of migration. Since February 2016, NATO ships have been deployed in the Aegean Sea too, with the aim of monitoring migrant and smuggler movement in the waters between Greece and Turkey. The operation was further mandated to train the Libyan Coastguard and Navy and to support the implementation of the UN arms embargo on the high seas off the coast of Libya in 2016. In July of 2017, the European Council further extended the operation's mandate till 31 December 2018.[44]

In June 2018, the anti-establishment Five Star Movement and right-wing League won Italian elections, announcing a new approach on the migration issue, based on a tough anti-migration policy. Since taking office as interior minister, Matteo Salvini was openly critical of NGOs that performed migrant search and rescue missions in the Mediterranean. Salvini has repeatedly said Italy will "no longer be Europe's refugee camp", and as the first evidence of the new government's hardline approach closed all Italian seaports to rescue boats operated by non-government organizations in the Mediterranean.

A few days after the new allied government of Salvini's League party and the 5-Star Movement were sworn in, Salvini prohibited two NGO rescue boats

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[44] For more information,see https://www.europarl.europa.eu/legislative-train/theme-towards-a-new-policy-on-migration/file-eunavfor-med-operation-sophia

from docking in Italy, beginning so named closed-port policy. The first case was the Aquarius ship, jointly run by SOS Mediterranee and Doctors Without Borders (MSF), who had 629 rescued migrants on board, not dock in Italy but be sent to Malta, where Prime Minister Muscat turned them away as well. Spain's prime minister, Pedro Joseph Sánchez, eventually let the human cargo disembark in Valencia, after 9 days on the sea.[45]

A year later, in the summer of 2019, another ship of the NGO Open Arms, with a group of over 100 migrants who were aboard the boat, off the coast of Lampedusa, was forbidden to go ashore by the Minister of the Interior Matteo Salvini. Among the rescued migrants waiting to disembark there were also many minors. Most of the people remained on board for 19 days, waiting in front of the port of Lampedusa, before being able to disembark after the Agrigento prosecutor decided to arrange the disembarkation and the preventive seizure of the ship, assuming that was made an abuse of the authorities. On July 30th, 2020, the Senate gave the green light to the request for authorization the prosecution against Salvini, made by the court of justice of Palermo, the leader of the Lega being accused of "aggravated multiple kidnapping" and "office abuse"[46]

By the end of 2018, the continuation of Operation Sophia became a source of disagreement between participating member states after a request made by the new Italian government to revise the mandate of the EU's military operation, and specifically, the rule according to which all asylum seekers rescued in the

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[45] ***ANSA, *Salvini versus sea rescue NGOs: An overview,*
https://www.infomigrants.net/en/post/18928/salvini-versus-sea-rescue-ngos-an-overview
[46] ***tg24, *Open Arms, la procura dispone il sequestro della nave e sbarco immediato*
in https://tg24.sky.it/cronaca/2019/08/20/open-arms-news

framework of the mission should be disembarked in Italian ports.[47] Italy's plan was to rotate landings between Mediterranean ports, with a particular emphasis on France and Spain, and with Greece and Malta also sharing the responsibility.[48] Moreover, Salvini's policy of *Porti Chiusi* affected the EU military ships as well, criticizing the costs, considered enormous, compared to the number of saved people.[49]

On 29 March 2019, the Council of the European Union formalized the decision taken by the ambassadors of the 28 EU countries gathered in the EU Political and Security Committee (COPS) to extend the Sophia Operation until 30 September 2019, but without any deployment of the naval forces. Therefore, the surveillance of the Central Mediterranean was made only by air assets, temporarily suspending the deployment of the Operation's naval assets. On 26 September 2019, the Council extended the operation until 31 March 2020 with the naval assets remaining suspended.[50]

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[47] Sergio Carrera, Roberto Cortinovis, *Search and Rescue, disembarkation and relocation arrangements in the Mediterranean. Sailing away from responsibility?,* in "CEPS Paper", no.10/June 2019, https://www.ceps.eu/wp-content/uploads/2019/06/LSE2019-10_ReSoma_Sailing-Away-from-Responsibility.pdf: Il Sole 24, *Migranti, cos'è la missione Sophia e perché Salvini la vuole cambiare,* 10 July 2018, inhttps://www.ilsole24ore.com/art/migranti-cos-e-missione-sophia-e-perche-salvini-vuole-cambiare-AEtstMJF

[48] ***Italy to push EU for reform of "Operation Sofia",* in "Euractiv", 30th August , 2018, https://www.euractiv.com/section/justice-home-affairs/news/italy-to-push-eu-for-reform-of-operation-sophia/

[49] Rai news, *Migranti, Salvini, stop a missione Sophia senza nuove regole d'ingaggio*, 5 December 2018, https://www.rainews.it/archivio-rainews/articoli/Migranti-Salvini-stop-Sophia-senza-nuove-regole-ingaggio-bfeea3d6-f81d-4a78-983c-81e911e1f97d.html?refresh_ce

[50] *** The Council of the European Union, *EUNAVFOR MED Operation Sophia: mandate extended until 30 September 2019*, press release, 29th March 2019 https://www.consilium.europa.eu/en/press/press-releases/2019/03/29/eunavfor-med-operation-sophia-mandate-extended-until-30-september-2019/

Eventually, the operation ended in March 2020, without entering the final phase, namely the intervention within Libyan territorial waters to stop traffickers before departure. It was included in the agreements, but the European Union never obtained the consent of the Tripoli authorities, despite hundreds of millions of euros and the training of the Libyan coast guard.

IV.   EUNAVFOR Irini (March 2020-March 2023)

The impossibility for the 28 EU member states to find an agreement on the landing of the people who were rescued at sea in ports other than Italian ones - as requested Italy - has involved the elimination of ships, a measure that in the end led to cease the mission. In March 2020, Operation Sophia was succeeded by Operation **Irini,** which **has no SAR mandate.** It aims to disrupt the business model of human smuggling and trafficking networks through information gathering and patrolling by planes. With the headquarters in Rome, its core task is the implementation of the UN arms embargo on Libya through the use of aerial, satellite, and maritime assets. In particular, the mission is mandated to carry out inspections of vessels on the high seas off the coast of Libya suspected to be carrying arms or related material to and from Libya following the United Nations Security Council Resolution 2292 (2016) in addition to monitoring violations perpetrated via aerial and land routes. On March 17th, 2021, the EU extended the operation for 2 more years, until the end of March 2023. The decision to prolong the mission comes from the United Nations experts who warned that the embargo imposed on Libya in 2011 was "totally ineffective" as it was being blatantly

violated by numerous international actors.[51] Italy and Greece alternate the Force Commander every six months. Due to the Covid-19 pandemic, the Operation effectively started its activity at sea on 4 May 2020. Operation IRINI is a European Union military operation under the umbrella of the Common Security and Defense Policy (CSDP).

Despite the growing concerns about the treatment used by the Libyan Coast Guard on illegal migrants, a mounting death toll at sea, and the continued lack of any central authority in the North African nation, the EU is determined to train coast guard personnel and bolster Libya's capacity to manage a massive search-and-rescue area of the Mediterranean.

IV Themis (February 2018-

In February 2018, has begun the Themis operation, replacing Operation Themis, launched in 2014. The new Joint Operation has an enhanced law enforcement focus, with the aim of cracking down on criminal activities, such as drug smuggling while continuing to include a search and rescue component, although it was not the main focus of the previous mission. The operation is also characterized by a strong component linked to "security" and data collection and intelligence activities, aimed at detecting *Foreign fighters* and other terrorist threats at the external borders. Once collected, these data are shared with Europol together with the Italian national authorities.

Themis had two new patrol areas in the Mediterranean: one to the east - for migratory flows from Turkey and Albania - and one to the west - for those departing from Libya, Tunisia, and Algeria. Moreover, the patrol line of the Italian

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[51] ***Eunavfor Med operation Irini, https://www.operationirini.eu/about-us/

naval units was placed at the limit of 24 miles (44.5 kilometers) from the Italian coasts, reducing the operational area compared to the Triton operation (30 nautical miles - 55.6 kilometers). The mission does not cover Maltese waters, as operation Triton did. Accordingly, vessels under the EU mandate could not operate in waters beyond this mark. Already when Triton was established, the EP criticized the insufficiency of the operational area, as it did not cover the area with a high number of fatalities. Consequently, Themis' contribution to rescue at sea is less than operation Triton's contribution. All assets deployed within the framework of Operation Themis operate under the command of the Italian Ministry of Interior.[52]

The novelty was that Italy was no longer obligated to receive all migrants rescued by the European Union's border agency from the Mediterranean Sea. Themis' mandate has included the disembarking of migrants at the "closest port" instead of only Italian ports, as was in the case of Triton. It was a strong message to Italy's Mediterranean neighbors such as Malta but is unlikely to majorly affect arrivals as Italy coordinates the vast majority of sea rescues between North Africa and its southern coast. The regional Maritime Rescue Coordination Centre (MRCC) in Rome, involved in each rescue will "decides which port to send the boats to".[53]

The Right-wing coalition collapsed in August 2019 and has been replaced by a more Europhile government which has moved quickly to turn the page on Salvini's anti-migrant policies, which saw the country's ports closed to NGO

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[52] Steve Scherer, *In new EU sea mission, ships not obliged to bring migrants to Italy*, https://www.reuters.com/article/us-europe-migrants-italy-idUSKBN1FL62M

[53] Frontex, https://frontex.europa.eu/we-support/main-operations/operation-themis-italy-/ ; For more information, see Alessandra Giada Dibenedetto, *L'operazione Themis e il suo significato per l'Italia,* Centro Studi Internazionali, https://www.cesi-italia.org/contents/Loperazione%20Themis%20impaginato%20Ita.pdf

humanitarian rescue ships. Moreover, Italy has continued to set up an automatic system for distributing migrants rescued in the Mediterranean between European countries. Such a deal would have put an end to the case-by-case negotiations over who will take in those saved during the crossing from North Africa.

In September 2019, Interior ministers from five European Union countries converged on the Mediterranean island of Malta to finalize a deal that would see a redistribution of asylum-seekers who reach the southern shores of Europe from North Africa. EU officials hoped the voluntary burden-sharing scheme being sealed at mini-summit between France, Germany, Italy, and Malta would later be taken up by other EU states and serve as a model for northern and central European states to also take in asylum-seekers, lifting the migration pressure on the "frontline" states of Italy and Greece.

Germanys' Interior Minister, Horst Seehofer, said that the EU had a chance to develop a model for the distribution of refugees and migrants rescued at sea:

"The new Italian government represents a great opportunity for Europe to create a concept when it comes to migration — in this case, rescued migrants. It would be a major mistake for the German government to miss such an opportunity," he said. Under the deal, France and Germany could each take 25% of migrants rescued in the Mediterranean. "I hope that the EU's three largest countries will be the locomotive to which several other member states can couple their wagons," Seehofer told the German media.[54]

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[54] Jamie Dettmer, *EU Divided Again on Question of Migrant Burden-Sharing,* in https://www.voanews.com/a/europe_eu-divided-again-question-migrant-burden-sharing/6176275.html

Hungarian officials warned for the first moment that Budapest would not participate under any circumstances, arguing the time-limited and voluntary four-nation deal represented a surreptitious bid to revive the burden-sharing mechanisms Brussels tried to impose on all EU states at the height of the migration crisis in 2015 and 2016.[55]

In September 2020, after the impossibility to introduce solidarity in the Dublin system, allocating responsibility to the Member States for the examination of asylum applications, the European Commission made a proposal for a **New Pact on Migration and Asylum** "that would have replaced the "Dublin Regulation with a new European migration governance system".[56]

In the Commission's proposal, the country responsible for the application could instead be the one where a migrant has a relative or where he or she has worked or studied. Any country that issued a visa to a migrant will have to handle any asylum application. The Dublin Regulation states that asylum claims must be processed by the migrant's country of arrival. Moreover, it aims to create more efficient and fair migration processes, reducing unsafe and irregular routes and promoting sustainable and safe legal pathways to those in need of protection.

In practice, there had been great expectations placed on the Pact on migration and asylum to overcome the failure of the 2015 Agenda on Migration to resolve the failings in the design and implementation of the EU asylum and external border control policy. Solidarity is thus therefore the most important

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[55] Ibidem.

[56] European Commission, *COMMUNICATION FROM THE COMMISSION on a New Pact on Migration and Asylum,*
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0609;
https://www.infomigrants.net/en/post/30751/eu-the-new-pact-on-migration-and-asylum

element of the New Pact, but it has been translated into a flexible relocation mechanism. Member States can choose either to relocate asylum seekers, either to sponsor return or even to provide other types of help or funding and even external cooperation for migration management in countries of origin or of transit of migrants. Sponsoring the return of migrants means supporting the Member State in charge of return, for instance by providing help for the voluntary return of the migrant, for the readmission, or the organization of a return flight. Many scholars suggest that such an arrangement is not a real pact made to reconcile different views, in line with Bratislava Declaration,[57] but a compromise allowing opposite readings.[58]

Conclusion

After the Mare Nostrum, the Italian governments did not succeed to play a pivotal role in the relaunching of the European integration, nor to promote a new EU migration policy, based upon a humanitarian approach. The lack of state-led search and rescue capacity, a securitized European borders, combined with the obstacles to NGO operations, and the abuses committed by the Libyan Coast Guard had a severe impact on the situation in the Central Mediterranean.

The situation in this area is "not a tragic anomaly", according to a recent report by the Office of the United Nations High Commissioner for Human Rights (OHCHR), "but rather a consequence of concrete policy decisions and practices by

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[57] Bratislava Declaration, 16 September 2016, https://www.consilium.europa.eu/media/21250/160916-bratislava-declaration-and-roadmapen16.pdf

[58]For more analysis on this Pact, see https://eumigrationlawblog.eu/the-new-pact-on-migration-and-asylum-what-it-is-not-and-what-it-could-have-been/

the Libyan authorities, European Union, Europan Member States, and institutions, and other actors". The report, which covers the period from January 2019 to December 2020, notes with concern that the EU and its Member States have cut back significantly on their maritime Search and Rescue operations, while humanitarian NGOs have been obstructed constantly from carrying out their life-saving rescue operations. In addition, private commercial vessels increasingly avoid going to the aid of migrants in distress because of delays and stand-offs over their eventual disembarkation in a port of safety.[59]

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[59] Office of UN s High Commissioner for Human Rights, *"Lethal Disregard" Search and rescue and the protection of migrants in the central Mediterranean Sea* , May 2021, https://reliefweb.int/sites/reliefweb.int/files/resources/OHCHR-thematic-report-SAR-protection-at-sea.pdf

BOOK REVIEW

David Shambaugh, *Where Great Powers Meet: America and China in Southeast Asia,* **Oxford, Oxford University Press, 2020, 352 pp.**

A geostrategically important part of the world, Southeast Asia became the place where the rivalry between two major powers, China and the United States, is reflected. Even if after the Cold War it seemed like Southeast Asia was going to remain a stable region with important economic and security ties to the United States, the rise of China as a great power questioned the geopolitical future of the region and raised the issue of power competition.

David Shambaugh, an award-winning author on contemporary China and the international relations of Asia and professor of Asian Studies, Political Science and International Affairs at George Washington University, explains in his book, *Where Great Powers Meet: America and China in Southeast Asia*, how the competition between China and the United States is focused on the countries that encompass Southeast Asia. Saying that „the region is a microcosm of many of the features of US-China great power rivalry that is taking place worldwide",[1] Shambaugh suggested that the outcome of this competition will determine whether Asia leaves the American orbit after seven decades and falls into a new sphere of Chinese influence.

Divided into four parts, the book is a complete analysis of both historical and current relations of the United States and China with the states of the

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[1] David Shambaugh, *Where Great Powers Meet: America and China in Southeast Asia*, Oxford, Oxford University Press, p. 11.

Southeast Asia region. Beginning with the legacies that both states have in the region, the author presents how the past has shaped the present situation that characterized the dynamic of Southeast Asia. Possessing and deploying an array of instruments in a range of sectors, from the diplomatic, commercial, cultural, military to technological spheres, China and the United States have a significant role in the ten different member states of the Association of Southeast Asian Nations (ASEAN). Shambaugh examines these instruments, how each traditional power interacts with the region, and the way Southeast Asia nations navigate between China and the US.

Southeast Asia has become the fastest-growing region in the world since the global financial crisis of 2008-2009 and one of the most heavily and densely populated regions. At the same time, the ASEAN economies collectively constitute the sixth-largest economy in the world, which makes this area to be considered a real competitor on the global stage. Because it owns significant strategic attributes and opportunities desired by major powers, Southeast Asia is now the spot where the US and China are trying to achieve more influence.

In his study, Shambaugh pointed out that it is not a new issue for Southeast Asia to face external influences. From the nineteenth century, the American flag followed traders and missionaries into Southeast Asia, making the region one of the first theaters to test the new American imperial ascendancy. Seen as a benevolent partner, the US changed its role during the Cold War when some of the Southeastern Asian states became part of the ideological conflict between capitalism and socialism. In the present, when the states from the region have, in the vast majority, a democratic political system, the United States continues to be an important guarantor of regional security and stability.

Before the sixteenth century, China, to the same extent, was trying to enforce its influence and has loomed large geographically, culturally, militarily, and economically over Southeast Asia. At the turn of the twenty-first century,

China's relations with Southeast Asian countries have grown dramatically. ASEAN is now China's main trading partner and, besides that, China's „Belt and Road Initiative" is the sign of the new activeness of China on its Asian periphery.

Although many observers see US power and influence to be diminishing in the region because of the rising Chinese power, the author argues that this may be a misperception. In his opinion, China is an overestimated power, while the United States is an underappreciated one. China is strong economically, but it is weak in some areas like soft-power, diplomacy, and security assistance. Even if the narrative in the region is strong about China, the American footprint across the region is there and will remain in the long term. The cultural, diplomatic, economic, and security influence of the US in Southern Asia remains unprecedented and, in most dimensions, it is, in fact, greater than China's.

What made some consider that US influence is decreasing in Southeast Asia is the US shift from engagement to competition in the region and the tougher and more competitive strategy towards China, a behaviour that seems to be similar to that of the Cold War directed against the Soviet Union. The new great power rivalry bears some similarities with what happened during the Cold War but, in the author's view, it also has significant dissimilarities. For Shambaugh, the current great power rivalry has not yet become an action-reaction, zero-sum type of geostrategic contest. It is rather a soft rivalry in which the two states operate and influence for the most part in parallel with each other, not always in direct competition or in reaction to the movements of the other. Besides that, Southeast Asia is not like Europe and other regions during the Cold War where each super-power had its own sphere of influence and client states. In his author's point of view, Beijing is taking minimal actions to counter the US power in Southeast Asia. What China does is taking action to strengthen its own position in the Far East rather than to counter and undermine the influence that the US already has there.

The author stressed, also, in his scholarly paper, how the power competition is ameliorated by the ASEAN countries. Because of its colonial history, Southeast Asia has a tendency to protect its independence and stay away from strong external interference. Moreover, the region has a predisposition towards neutralism and non-alignment policy, determining ten Southeast Asian countries, like Singapore, Vietnam, Thailand, Indonesia, etc, to oscillate between China and the US. Although ASEAN states are tilting more towards China due to economic reasons, Shambaugh thinks that the region will not become overly dependent on Beijing and will maintain the traditional „hedging" strategies to keep both powers at bay.

Being the product of more than six months of travel and dialogue through the region combined with analysis of statistics, polls, and other academic sources, *Where Great Powers Meet: America and China in Southeast Asia* is a comprehensive research that analyzes the Sino-American competition, using the Southeast Asia region as a case study. A topic that grows in importance nowadays, the rivalry between China and the United States became the major defining feature of international relations.

Trying to show the important historical context that shapes contemporary relations, David Shambaugh creates a comprehensive study that highlights how two great powers behave on the global stage. Reaching the conclusion that the new great power rivalry is, so far, different than the US-Soviet Union competition during the Cold War, but still risky for the relevant regions from the world, with stakes for both powers, Shambaugh evaluates the importance of Southeast Asia for China and the US from past centuries till present. A book that provides readers with some basic information about the complexity of Southeast Asia geopolitics, *Where Great Powers Meet: America and China in Southeast Asia* is a thoughtful and experienced study for those who want to understand the

dynamics of international relations and the competition for supremacy playing out in ASEAN member states.

Ștefania Cocor

Paul Addison, *No Turning Back: The Peacetime Revolutions of Post-War Britain,* **Oxford University Press, pp. 464.**

The present work aims to understand and explain the fundamental aspects of British society in the post-war period, elements emphasized concisely by Paul Addison in *No Turning Back: The Peacetime Revolutions of Post-War Britain*. Published by the Oxford University Press, in 2010, this book has a total number of 464 pages.

Paul Addison was a remarkable British historian, author of numerous books, articles, and reviews, with the reference theme of Great Britain's political history during World War II and the post-war period. He consolidated his reputation with a series of works about modern British history, appreciated on a large scale for their perspicacity and eloquence. Moreover, his writings were recognized for their special ability to influence how people relate to the past and the present.

Still from the introduction, the author announces that his objective was to provide a complex study concerning the evolution of Great Britain between the end of World War II and the beginning of the 21st century. These aspects are highlighted through the prism of the development of Great Britain, being in a permanent change and adaptation, the author making available to the readers the essential elements to understand and interpret the matters related to these issues. The evolution of the political and social life in Great Britain in the post-war period was, over the years, a widely debated and analyzed topic from multiple perspectives.

Taking into account these considerations, the author chose to approach the subject from an individualized perspective, giving it a special touch. In this respect, he developed this work by investigating two distinct areas, specifically the aspects of British society, on the one hand, and the whole elements of the English political life on the other hand. Therefore, Addison managed to carry out a work that brings to the foreground both social and political history. The social changes and the introduction of some revolutionary projects were eloquently presented, on the basis of complex documentation.

The work subject to the analysis has a carefully carried out structure, intended for guiding the reader in scrolling easily through its pages. Thus, the framework underlying the arrangement of the information is based on the correlation of two approaches: chronological, respectively thematic. Containing 3 complex chapters, the book provides a particular perspective on the covered topics. Moreover, for a comprehensive overview of the analyzed topics, graphs, maps, and illustrations were inserted in the incipit of the work. They have the clear objective of supporting the relevant aspects regarding the social and political changes from the United Kingdom during the analyzed period.

The author's style is organized and meticulous. Thus, each chapter begins with the presentation of the issues to be analyzed. Moreover, the chapters are divided into small subthemes with suggestive titles, intended for giving the readers clues about the approached topics. In order to ensure that his work will have a significant impact, the author gave the work a form accessible to any reader interested in this field.

Reading this work introduces the reader to a real raid throughout history. In the analyzed time frame, 1945-1997, a series of peaceful revolutions determined a profound transformation of Great Britain. Thus, the central theme of the work is represented by the debate concerning the revolutionary phenomenon, the author presenting a series of revolutions in peacetime, events

that determined the evolution of the country in the post-war period. Against this background, the determining features of the United Kingdom in this time frame were: the development of a society more permissive, the change of the legal and social status of women, the ethnic, social, and economic changes.

Paul Addison divided the mentioned subject from the thematic and chronological point of view as follows: the repercussions of the war (1945-1957), the search for modernity (1957-1974), and the changes of Great Britain (1974-1997). From this perspective, the aspects related to the change of the role of the state in economic and social affairs, the living standards, the social classes, and the national identity are to be mentioned. The consequences were visible: a nation that has become multiethnic, an economy transformed into a system of the free market, and a society that has evolved from the prevalence of the working class to that of the middle class. Moreover, the fragility of the country, as a result of the rise of nationalism in Wales and Scotland, became evident.

The first chapter, entitled "The Aftermath of War 1945-1957", intended to illustrate the general framework of the evolution of the UK in the early years of the post-war period. Addison initiated the analysis by presenting and comparing the main decision-makers in the early years after the end of WWII. Among them, Clement Attlee, a personality with a significant influence on the transformations of the British state came to the fore. Moreover, the author highlighted the impact of the Conservative and Labour governments which succeeded each other to power.

In the late 1950s, an acute sense of concern emerged in British society, generated by the decline that Great Britain was experiencing. In this context, the governments focused their attention on finding solutions to modernize the economy. Consequently, in this chapter, the author presents a first typology of the revolutions, namely the economic one. The post-war consensus was based on three particular premises, respectively: the prevalence of the state property over

the key industries; the government's assumption of the responsibilities for the efficient management of the economic field; the improvement of the social services. Despite these evolutions, the country continued to possess a number of conventional elements.

The second chapter, entitled "The Quest for Modernity 1957-1974", brought to the attention the social-liberal revolution, initiated in the mid-1960s. Therefore, the austerity in the early years of the post-war period was replaced by permissiveness and liberalization. Thus, the collapse of the old taboos was to occur, and a new society with greater freedom in matters of divorce, abortion, or homosexuality appeared.

In line with these new ideas, the aspect of the entire society has undergone a profound transformation, important steps towards modernity being carried out. Thus, the new personal values and attitudes have been partially transposed into legislation. At the same time, in the 1960s, multiculturalism has become one of the dominant notions of the British national identity.

In the long run, the multiracial nature of British society, and the presence of ethnic minorities have come to be considered elements of normality. At the same time, the rise of Scottish and Welsh nationalism has revealed a new facet of British society, while the United Kingdom's membership of the European community has further "eroded" the matter of British sovereignty.

The third chapter, "Transformations 1974-1997", approached the issue of the civic nationalism of the Scots and Welsh. The economic crises of the 1970s created a favorable framework for Margaret Thatcher's accumulation of power and for the revolutionary reforms that she initiated. At the same time, the economic crises of the 1970s seemed to illustrate the shortcomings of the Keynesian economic theory, which no longer corresponded to the new social-economic realities. Thus, the year 1974 marked the collapse of the Keynesian consensus, replaced by a neoliberal alternative. The power of the trade

unions decreased, the taxes were reduced, and a deregulation approach was chosen. However, the result of these initiatives also had a number of negative repercussions: the inequalities extended as a result of the economic gap between the urban and the rural environment, and with the decline of the traditional factories, the number of unemployed started to increase. However, at the end of the 20th century, the UK was characterized by elements distinct from the previous periods: considerable freedom at the individual level, an open economy, and a sustainable welfare society spread at the national level.

At the end of the work, the author performed a synthesis of the consequences of the analyzed events, balancing the related gains and losses. The main issues approached by the author, namely the triumph of the neoliberalism theory, the complex nature of the British national identity in a multicultural society, the rise of the middle class, at the same time with the decline of the traditional working class, and finally, a society more permissive, were analyzed and detailed in a meticulous manner.

From my point of view, Paul Addison's work brought an important contribution to the field of the political and social history of Great Britain, outlining a complete framework of the events in the analyzed time frame. Also, the author brought in the foreground certain political decision-makers who influenced the evolution of British society, outlining eloquent portraits of them. Moreover, the book offers a multitude of sources regarding the approached topics, as well as the possibility of observing some instruments specific to the analytical levels with which a historian can operate.

By exposing and arguing concretely the ideas, the author proposed a series of reflections on the elements that influenced the way of Great Britain after the conclusion of the second world conflagration. In this context, the way that the author exposes and argues his ideas is interesting, being the result of his own participation in the events which contributed to the radical transformation of

Great Britain. Consequently, the historian Paul Addison is part of the row of researchers who dedicated to the study of these issues, adding to the already known information a number of significant and unedited details.

Therefore, *No Turning Back: The Peacetime Revolutions of Post-War Britain* remains a valuable book, which facilitates the understanding of the major problems with regard to the evolution of the United Kingdom in the post-war period. The work outlines a unitary picture of the British political and social framework, highlighting the essential aspects of each studied level.

Georgiana-Veronica Maxim

Giulia Albanese, *La Marcia su Roma,* **Editori Laterza, Roma-Bari, 2014, 304 pp.**

The March on Rome, the event that led to Mussolini's seizure of power, represents a central episode, both in Italian political history and the history of Fascist propaganda. Herefore, this scholarly topic might seem an issue that historical researchers have amply examined, but Albanese's research makes it possible a new reflection on the March on Rome, considering the role of the blackshirts and their violence as a crucial moment in the construction of the Fascist regime. The study emphasizes the continuity of the subversive actions of the nationalist groups, from the era of Fiume until the March on Rome, also evaluating its consequences, including in 1924.

The book was originally published in the Italian language in 2014, but last year, the Routledge Press decided to complete the English bibliography on this topic, permitting critical discussions with new arguments in various academic debates.

In this well-researched and carefully argued book, Giulia Albanese highlights the importance of the March on Rome for Mussolini's rise to power and especially for the consolidation of the regime during the 1920s. The author redefines the image of the March by setting aside the well-known representations that classical historiography offered to the event (such as a "comedy" or "a victorious march of no political significance"), and presents it as one of the most fundamental moments in Italy's fascist history.

In many scholarly articles, the March on Rome was and it's still considered a symbol, created by the Fascist propaganda. At the same time, the event was recognized as a moment of institutional crisis and frustrating negotiations between political leaders which finally brought Mussolini to power. It seemed that neither violence nor the desire for revolution played any role. In

disagreement with most historians, who interpret the advent of fascism to power as institutional continuity rather than a political fracture, Giulia Albanese openly takes up the original thesis of Adrian Lyttelton *(The conquest of power. Fascism from 1919 to 1929,* Rome-Bari, 1982), for which the originality of the conquest techniques implemented with the March on Rome has determined the true beginning of the fascist dictatorship.

The book, divided into six chapters, proceeds by arranging the history of the March on Rome in three phases. The first phase provides the premises and starts immediately after the war, when nationalist and military groups, spread in all of Central and Western Europe, began to hypothesize the coup projects to destroy the parliamentary system and to block the vast democratization process after World War I. Based on an authoritarian culture, partly shared not only by the ruling class but also by the moderate public opinion, the fascist strategy, using violence, found a way to take root, to grow, and to be substantially accepted in Italian society.

The second phase is limited to the days of the March, to the fascist mobilization which began on October 27, 1922, and ended on November 7, well beyond Mussolini's investiture, with a crescendo rate of violence. Through a meticulous reconstruction of the events, not only the entry of the squadristi into Rome, Giulia Albanese described also the invasion of all Italian cities and, in the end, the transformation of the local balance of power.

The third phase concerns the first year of the Mussolini government when the construction of a "revolutionary" discourse on the march represented an ambiguous instrument of legitimation of the fascist power.

Moreover, contesting the thesis that the March on Rome was presented as "bluff", Giulia Albanese argued that although there was no formal break of political legitimacy in October 1922, the fascist government put to an end the liberal state already in the course of the first year of the regime, despite the fact that the government coalition was still in power. In this sense, the first anniversary of the March was a particularly significant moment since it "inaugurated the ritualization of a new era and institutionalized a break of

considerable importance", defining "the formation of a new political framework" (p. 174).

An institutional system can be transformed without that action being clearly understood by those who witness the transformations, but in this case, argued Albanese, the violence was the key to the radical transformation of the political regime.

The violence of the squadristi during the days of the March has been neglected by contemporaries and historians alike. At the time, the March on Rome appeared for most people like one of those sudden events that made a lot of noise but were incapable of transforming the essence of political institutions and power relations. Even those who understood the subversive potential of this event believed that nothing new could have happened, that the March on Rome and its outcome were in fact an extension of the institutions and liberal politics, or a necessary matter which would have avoided that the worst thing to happen.

Albanese's research has made possible a new approach of the March on Rome, regarding the role of the blackshirts and their violence as a crucial moment in the construction of the Fascist regime. It was the violence of the early movement, as well as that of the days of the March that created the preconditions for the radical institutional change realized by the Fascists. It was violence that demoralized and divided further both the opposition and the pre-Fascist ruling class, or at least their most active and conscious sections. It was Fascist violence that destroyed the last shreds of legitimacy vested in Italian political institutions and sanctioned the temporary rupture in the State's monopoly of violence

The author invalidates the still commonly accepted image of a "farce March", showing that the extent of the peripheral action violence was designed as an integral part of the threatening pressure on the liberal government, determining "a geography and an impact of the March itself, very different from those we are used to imagining." It also shows that the misunderstanding of the real nature of the March distorts the perspective from which one looks at the fascist movement and the beginning of the regime alike.

During the first year, the march on Rome had played an important role in the propaganda of the Duce. The effects had been twofold. On the one hand, as

we have seen, it had served to curb the protests of the most radical of the fascists who feared an excessive institutionalization of fascism. On the other hand, it had been an element of strength and blackmail against the ruling class and public opinion, with which Mussolini re-legitimized and increased his power as prime minister. In short, the proposed image of the March remained for a while in the balance between continuity and rupture.

The rejection of the rules of the democratic game, the delegitimization of political opponents, the tolerance of violence, the restriction by the law of the freedoms of opponents were the next stages imposed by the new regime.

Mihaela Mustățea

Larry Wolff, *Woodrow Wilson and the Reimagining of Eastern Europe*, **California, Stanford University Press, 2020, 286 pp.**

Larry Wolff is the Julius Silver Professor of European History at NYU, the executive director of the NYU Remarque Institute, and the co-director of NYU Florence at Villa La Pietra. Professor Wolff's research interests include European history, the Habsburg Monarchy, and the political regimes. He is also interested in the problems that arise between East and West. Also, he is a member of the American Academy of Arts and Sciences.

His books include *Inventing Eastern Europe: The Map of Civilization on the Mind of the Enlightenment* (1994), *Venice and the Slavs: The Discovery of Dalmatia in the Age of Enlightenment* (2001), *The Idea of Galicia: History and Fantasy in Habsburg Political Culture* (Stanford 2010), and *The Singing Turk: Ottoman Power and Operatic Emotions on the European Stage* (2016).

In 2020, Larry Wolff returns with new research, entitled *Woodrow Wilson and the Reimagining of Eastern Europe*. The book does provide another example of Professor Wolff's excellent writing style, and there are some really excellently phrased analytical passages. Larry Wolff examines the creation and evolution of US president Woodrow Wilson's 'mental map' of Eastern Europe adjustment which produced an even more radical geopolitical transformation of the former imperial realms, thus the old political system being replaced by a set of interlocking national states.

This book traces the minorities and political issues created by the 1919 Paris Peace Conference, where the victorious Allied powers met to re-envision the map

of Europe in the aftermath of World War I, President Woodrow Wilson's influence on the remapping of borders was profound.

But the impact of Woodrow Wilson's vision on the modern political structuring of Eastern Europe would be perhaps his most enduring international legacy: neither Czechoslovakia nor Yugoslavia would not have existed today, thus their geopolitical presence persisted across the twentieth century from the end of World War I to the end of the Cold War. These modern national states were created in large part thanks to Wilson's advocacy, and in particular, his *Fourteen Points* speech of January 1918, which hinged in large part on the concept of national self-determination.

In his introduction, Larry Wolff outlines the concepts behind Wilson's foreign policy, mentioning among others the significance of *mental mapping*: *'Mental maps – not just the graphic and material maps on the wall but also the imagistic, impressionistic, idiosyncratic maps in the human mind – shaped the perspectives of the peacemakers'*.[2]

Woodrow Wilson and the Reimagining of Eastern Europe provides a detailed analysis of Woodrow Wilson's role in creating the post-1918 map of Eastern Europe. Along with an analysis of the European post-Ottoman region, the book's main focus is on the former Austro-Hungarian Empire and Eastern Germany, with a detailed examination of Poland than any other single country case.

The Wilsonian notion of national self-determination was challenged by the reality of regions with ethnically mixed populations. Pre and post-World War I borders did not always correspond with ethnic divisions, which led to the imposition of rules by the western powers for the protection of minorities in the Successor States of Eastern Europe after 1918.

These issues would arise again in 1938 with the Sudeten German minority providing a pretext for Nazi Germany's seizure of Czechoslovakia and the brutal

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[2] Larry Wolff, *Woodrow Wilson and the Reimagining of Eastern Europe*, California, Stanford University Press, 2020, p. 5.

expulsions of Germans, Ukrainians, and Poles throughout North-Eastern Europe after the fall of Nazi Germany.

Lloyd Ambrosius, the author of *Woodrow Wilson and American Internationalism*, describes Larry Wolff's book as *'a significant contribution to the historical scholarship on Woodrow Wilson and his role in peacemaking after World War I. Larry Wolff recognizes both the confusion and the clarity in Wilson's endeavor to implement the principle of national self-determination.'*[3]

This book, published to mark the solemn occasion of the Centenary of the Paris Peace Conference, traces President Woodrow Wilson's evolving thinking about the principle of national self-determination by closely examining his approach to the remapping of Eastern Europe in the aftermath of World War I.

The dynamics of Wilsonian mental mapping emphasizes Larry Wolff in *Woodrow Wilson and the Reimagining of Eastern Europe* exposes Wilson's eastern question and the end of the Ottoman Empire as a "war of emancipation".

Wolff's enthralling account traces the way that U.S. President Woodrow Wilson embarked on a major campaign, inspired by the ideals of the Progressive era, to bring national self-determination to eastern Europe. But the president's principles clashed with the messy reality of historical frontiers and political rivalries in the region. Wilson's belief in the right of all peoples to decide their own futures collided with his involvement in what he described as 'carving a piece of Poland out of Germany's side' and 'rearranging the territorial divisions of the Balkan states.'

But in the process, as Wolff describes, Wilson discovered that his dream of justice and self-determination was a barely sustainable fantasy. The president belatedly grew aware of the problem of 'national minorities', seeing that their aspirations were impossible to reconcile with those of majority communities.

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[3] Lloyd Ambrosius, 'Woodrow Wilson', in *Woodrow Wilson Studies,* Woodrow Wilson Center, Washington, 2021

The book is more designed for those who already have some knowledge of the region's history looking for more details of this formative period in the modern history of Eastern Europe.

Ana Uță

Jongsoo James Lee, *The Partition of Korea after World War II: A Global History"* Palgrave Macmillan, New York, 2006, 220 pp.

Jongsoo James Lee, the author who had written *The Partition of Korea after World War II: A Global History* and other published works, has held research appointments at Harvard`s Korea Institute and Weatherhead Center for International Affairs. Being a finance professional and business consultant, Lee is also a scholar and expert in national security, foreign policy, and Indo-Pacific, Eurasian and global affairs. He is fluent in Korean and English and proficient in Chinese, Japanese, Russian, Spanish and French, languages that helped him a lot while searching in archives for writing down in his books and articles. James has studied at famous universities, like Harvard, Beijing, and Moscow and he is well known for his writings that have been published by *Financial Times*, *The Korea Herald*, or *Newsweek.*

Probably the best of Lee`s works is *The Partition of Korea after World War II: A Global History*, a book that comprehends the *Korean postwar era* and explains how the Allied gave a new sense to a traditional world. Published by Palgrave Macmillan in English, the Korean peninsula seems to become an attraction for the outside, and the old traditional world was, by now, lost and forever changed by the atrocities and the influences that eventually separated it into two different states, the *Republic of Korea* and the *Democratic People's Republic of Korea*.

Print in 2006, it has plenty of Korean and Russian sources that have been studied by the author and then clarified for the comprehension of the reader. The author writes down in a facile manner and because of its structure, two parts explaining two different perspectives, he helps the reader in understanding the

influence and the decisions of the Great Powers in a country. With professionalism, Lee did his best in translating the Russian and Korean sources and used the citations in order to outline the damaged history of the Korean peninsula and the irreversible changes that took place in the second half of the 20th century.

Using the correspondence and the treaties between the greatest countries of the century and the Korean peninsula, Lee tries to explain the hardest years in Korean history, three years that have cost more than the thirty years under Japanese rule. In the period between 1945 and 1948, the world has been changed forever for the Koreans because of the decisions of Russia and the United States. At the end of The Second World War, the division of Korea took place after the discussions between the USSR and the U.S. according to that the peninsula is split into two halves along the 38th parallel, the north zone under Soviet administration and the other one, the South zone, under Americans. The repeated failures regarding the unification of the peninsula are just another mistake of the United States in its agreements with the Kremlin. The author also explains how Stalin, *the big brother*, affected the course of events in North Korea, which became soon the Democratic People's Republic of Korea (DPRK).

In just 220 pages, Lee`s work focus on two dimensions, the first part under the name '*U.S. and Soviet Policies toward Korea, 1945-1948*' synthesized in three chapters, one explaining the situation in Korea before August 1945, the second one summarizing the political events between August and December 1945 and the last one portraying the situation after 1945 and until 1948.

The first part is full of extracts from letters, Treaties, and conversations between the U.S. and USSR, but none of them express the real wish of the Koreans: independence. Even if Japan gave up on Korea after the Second World War, the peninsula did not receive the independence status because the United States applied the same policy in Korea as it did in the Philippines.

By now, Korea entered under two different administrations because it 'wasn`t ready for being an independent and self-sufficient state' and it needed another force to prepare it for the world, a policy that was a success in the Philippines but a mistake in the Korean peninsula because its consequences were irremediable and irreparable. By mutual agreement, U.S. and USSR divided the peninsula into two different countries, with two governments and ideologies. The Soviets 'entered northern Korea with the goal of destroying the Japanese plunderers and did not follow the goal of introducing a soviet political order in Korea or of acquiring Korean territory'[4] and the Americans wanted to set free the Korean population. But for Koreans, what seemed to be freedom was in fact another form of obedience under foreign suzerainty.

The second part, entitled *'U.S. and Soviet occupation policies in Korea and the Korean responses, 1945-1948',* was representative of the interpretation of Korean history because it explains the reaction of the Korean population at the obligation of being again under foreign administration. In just one chapter, the author explains the relationship between the Koreans, the USSR, and the United States and the changes that took place after another occupation. The Korean response at the end of `40 and the beginning of `50 was strong enough to assure independence and in shaping a new ideology and even a new own religion (*cheondoism*). It's worth mentioning that Kim Il Sung, the first leader of North Korea, was being given special attention by the Soviet leaders and, judging by Kim`s autobiography, he formed a strong friendship with Zhdanov and Shtykov. He also mentions that Stalin was interested in him ('Zhdanov told me he would report to Stalin the results of our meeting. Afterward, I met with Zhdanov several times and formed a deep friendship with him. It seems Meretskov also told Stalin

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[4] Jongsoo James Lee, *The Partition of Korea after World War II: A Global History*, Palgrave Macmillan, New York, 2006, p. 133.

a lot about me…'[5]) and probably this is why Kim was chosen as a leader in North Korea while in the South there was an American military governor, John R.Hodge.

To conclude his work, Lee explains the factors of the Korean division and how it affected the Korean people. The division of Korea was, in fact, a product of both international and domestic factors while pointing out the importance of the trusteeship decision and the contingent nature of the division.'[6] There was no evidence that Stalin, in the fall of 1945, wanted to soviet northern Korea or creating a separate North Korean state, and the problem was in fact how the Americans treated the Korean situation. The author agrees that 'Stalin took the trusteeship more seriously than did the United States,' even if the U.S. came with the idea of using the same policy as in the Philippines. Also, Lee suggested that if 'the United States had taken the trusteeship equally seriously and the Korean Right also supported it' then 'U.S.-Soviet and Right-Left cooperation in Korea could have succeeded and the trusteeship itself could have succeeded as a result of which Korea would have emerged as a united independent nation.'[7]

Therefore, the failure in having a single independent Korea can be found in history and, for this, is necessary a closer look at the territorial discussions between the two world powers, United States and the Soviet Union. The author noted that the two Koreas would not be divided today if the two world powers would take the problem equally seriously, mentioning that Russia took Korea 'more seriously than did the United States.'

Nowadays, the two countries have diplomatic relations thanks to Moon Jae In, the actual president of the Republic of Korea, elected in 2017, but the tensions between Seoul and Phenian, caused by the two different political,

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[5] Jongsoo James Lee, *The Partition of Korea after World War II: A Global History*, Palgrave Macmillan, New York, 2006, p. 131.
[6] *Ibidem*, p. 155.
[7] *Ibidem*, p. 156.

economic, and ideological systems, represent the biggest challenge that decreases the chance of a unified Korean peninsula and a single nation to restore.

Maria Magdalena Viorean