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TRIANON AND INTERNATIONAL LAW: ARGUMENTS OF HUNGARIAN SCHOLARS OF INTERNATIONAL LAW AGAINST THE TREATY OF TRIANON

1 Introduction[1]

Hungary ended the three world wars of the 20th century on the side of defeat, with extremely severe damage in both the First and Second World Wars and the Cold War.[2] In the first two cases, as opposed to the Cold War, as they were real interstate wars, they were concluded by a peace treaty. While the severe damage caused by the real-world wars was the result of military devastation as well as the provisions of the peace treaties, in the case of the Cold War it was caused by the human and economic consequences of *Zwangordnung* exercised by a Soviet-type system.[3]

The 100-year-old Treaty of Trianon in 2020, like other documents signed in palaces in the vicinity of Paris, was in fact a continuation of the First World War by other, also brutal, means.

The Hungarian legal literature in international law between the two world wars devoted intense attention to potential arguments against the Treaty of Trianon. In connection with the anniversary,

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[1] The author is hereby grateful for the valuable comments of the anonymous reviewers.

[2] Interpreting the Cold War as World War III was the author's idea. However, as this is often the case in social sciences, a quick internet search revealed that it had already come to the minds of others. American political scientist Robert Kagan put it in this sense in the title of an article when he described the tension between the world powers as returning to World War III. Kagan, Robert: Backing into World War III. In: Foreign Policy 2017/02/06, https://foreignpolicy.com/2017/02/06/backing-into-world-war-iii-russia-china-trump-obama/, accessed: 08. 12 2020.

[3] Zwangordnung (coercive order), a concept of Hans Kelsen's legal philosophy.

this short article draws attention to the arguments of some prominent Hungarian international lawyers without seeking a complete picture in the presentation of the Hungarian legal literature in the matter. These arguments will be discussed below, after an overview of some general issues of the peace treaties and the state of peace.

This piece of writing may be considered as an essay in international law, if any, and only its main statements are document and the sources of the cited findings. The author sought to combine a descriptive and analytical approach.

2 The major issues of form and content of the Treaty of Trianon

The preamble (introduction) to the peace treaties sets out the aims of the parties and has often advocated mutual condonation in the past. The text of the treaty usually contains a clear proclamation on the end of the war and the restoration of amicable relations. In addition, the text includes detailed political and territorial provisions, followed by the regulation of financial, economic and legal issues. An important part of the peace treaty is the settlement of safeguards and the verification of enforcement.

The ceasefire is the cessation of military operations by mutual consent before peace is reached. (Some truces are in fact preliminary peace treaties, as they contain not only military but also political, economic and other provisions. Such as the Hungarian Armistice Agreement signed in Moscow in January 1945.)

Among the goals included in the preamble to the peace treaties, the phrase "eternal peace" used formerly has been replaced by "firm and durable" in modern texts. Political settlement usually limits the capacity of the defeated State to act, primarily by the limitation of armaments or prohibiting alliances or unification with another State. An example of the latter is the Treaty of Saint-Germain-en-Laye (1919) with Austria after the First World War, which stated that Austria

should refrain from establishing an economic and political union with Germany. The Treaty of Trianon after the First World War (1920), as well as the Treaty of Paris after the Second World War (1947), limited the number and military equipment of the Hungarian army.

Territorial settlement means, on the one hand, the restriction of the use of the territory of the State and the surrender of certain parts of it on the other hand. Such a restriction of territorial sovereignty is demilitarisation in peacetime and a ban on the continuation of military operations in wartime, which is called neutralisation. The surrender of the territory is in fact the result of employing force, and the peace treaty often merely sanctions the military occupation of the victors. Thus, with the Treaty of Trianon, the territory of Hungary decreased from 282,870 km^2 to 92,963 km^2, which was further eroded by three municipalities (Pozsony / Bratislava Bridgehead) after the Second World War by the Treaty of Paris.

The aim of the economic and financial provisions is, in principle, restoration, which requires the defeated party to compensate for the damage caused by the war. In the spirit of this concept, industrial equipment was dismantled and delivered, reparations were paid, and property abroad was liquidated after the First and Second World Wars. The provisions of the Treaty of Paris, which also compensated Czechoslovakia, although Hungary did not wage war against that State, and forced the Hungarian State to renounce its very significant economic claim against Germany, had a serious impact.

Peace treaties may also settle issues such as punishing war criminals, or in this regard, proclaiming mutual condonation, the exchange of prisoners of war, the settlement of contracts between private individuals, and the reinstitution of interstate agreements suspended due to war.

The guarantees of a peace treaty in the Middle Ages were the taking of oaths, hostages and the pledge over certain areas. In the twentieth century, demilitarisation, neutralisation, the stationing of peacekeepers, as well as guarantees from one or more world powers,

such as the United States in the case of the Israeli-Egyptian peace (1978), fulfil this function.

Peace treaties have in many cases also modified or renewed the general order of coexistence of States. This means, on the one hand, that peace treaties often lay down fundamental principles of political settlement. Such as, the principle of the balance of power in the Peace of Utrecht (1713). On the other hand, peace treaties may also provide for participation in institutions of the international order. The peace treaties concluded in the vicinity of Paris, which ended World War I, included the Covenant of the League of Nations, and in this way, the defeated became members of the organisation. The peace treaties by enhancing the fundamental norms of general international law also foster the new international order. This is how freedom of navigation on international rivers was enshrined in the Final Act of the Vienna Congress.

3 War and peace

International law has long considered war to be natural. The States were either at war or living in peace with each other. International law thus laid down rules for both situations. This is also why Hugo Grotius gave the title *On the Law of War and Peace* to his great work. Moreover, apparently not independently of the former, in Western culture, war has emerged as a predominant means of civilization.[4]

The irony of history and the history of international law is that the third round of the 1899 and 1907 Hague Peace Conferences was scheduled to be held in 1915. This had to be dispensed with because of the outbreak of World War I.[5]

The end of the state of war, given the many problems it raises, is usually achieved through a peace treaty. It is only in general because, according to the practice of states, a war can be concluded in such a way that, at the same time as or after the suspension of hostilities, a step

[4] Gittings, John: *The Glorious Art of Peace: From Iliad to Iraq*. New York: Oxford University Press. 2012, 15.

[5] See https://www.britannica.com/event/Hague-Conventions, accessed: 08. 12. 2020.

is taken between the parties which clearly indicates mutual peaceful intentions. Such a step could be the conclusion of international treaties or the establishment of diplomatic relations. For example, the Swedish-Polish (1716), Spanish-French (1721), and French-Mexican (1867) wars ended without a peace treaty. The legal effect of a unilateral declaration on the end of a war depends on a declaration of similar content or at least expressing acceptance of some sort from the other side. Russia made such a unilateral statement on 10 February, 1918, but Germany did not accept it. Peace can also be restored through a joint declaration. Since the end of World War II, there has been no peace treaty between Japan and the Soviet Union or its successor, Russia, which was concluded in 1956 with a joint declaration. The declaration stated that the state of war between Japan and the Soviet Union would end with the entry into force of the declaration and that peaceful relations would be restored.[6]

Negative peace between States, i.e. the absence of the overt use of force, is essentially equivalent to stabilising the *status quo*. If we think in terms of positive peace, we need to strike *a delicate balance between peaceful change and stability.*[7] As we will see later, after World War I, the "peacemakers" made an attempt to establish an international legal basis for such a change, but it was not meant seriously.

Today's map of Europe is essentially a consequence of modern-day peace treaties. The means of this were territorial changes, the demarcation of state borders, the abolition of empires and the creation of new States. The peace treaties *transformed the political environment*, linking territorial provisions to the overall stability of interstate relations. As Lord Castlereagh stated in connection with the end of the Napoleonic Wars, the real protection of borders is that it is usually not possible to change them without[8] the belligerent aggressor waging

[6] Joint Declaration by the Union of Soviet Socialist Republics and Japan, October 19, 1956, https://worldjpn.grips.ac.jp/documents/texts/docs/19561019.D1E.html, accessed: 08. 12. 2020.

[7] Rumpf, Helmut: The Concepts of Peace and War in International Relations. In: *German Yearbook of International Law* 1984, 437. (Emphasis added by the author.)

[8] Well, the English politician did not foresee what would happen in the 1930s. The United Kingdom and France, as great powers interested in the existing relations, allowed Hitler to change the German borders and to enter the war after the invasion

war with those interested in the existing relations.[9] Thus, peaceful territorial change is very rare, simply because States consider their territory as a source of their greatness and glory.

The peace treaties that ended the First World War marked a turning point[10] in the history of such agreements. The change, which had already begun in the second half of the 19th century, mainly following the German-French agreement of 1871,[11] showed a tendency of becoming increasingly stringent. This was complemented by the conviction of the victors of the First World War that in their struggle they fought for the enforcement of international law, a *morally superior goal*.[12] This belief was mainly related to two events. On the one hand, that in 1914 Germany attacked Belgium, which had a permanently neutral status under international law, and a year later in 1915 it sank the civilian ship Lusitania albeit with a prior general warning.

The stringent peace treaties and the confident moral superiority of the victors led to the strong dicta of the peace treaties signed in the palaces in the vicinity of Paris between 1919 and 1920: land acquisition, economic and security requirements were met to a much greater extent than in previous post-war settlements. Therefore, it is no wonder that the term *Versailles-Diktat* has become common in Germany, as has the "*trianoni diktátum*" in Hungary.[13] The heavy obligations presented in

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of Poland in "a long, brooding silence," (Churchill, Winston: *World War II. Volume I.* Budapest: Europe 1989, 154.), i.e. followed by a deceptive or strange war. It is another matter that this passivity was probably also related to a bad conscience over the peace treaty that ended the First World War.

[9] Cohen, Raymond: *International Politics. The Rules of the Game.* London – New York: Longman, 1981, 86.

[10] Steiger, Heinhard: Peace treaties from Paris to Versailles. In: Randall Lesaffer (ed.): *Peace Treaties and International Law in European History. From Late Middle Ages to Worl War One*. Cambridge: Cambridge University Press. 2004, 59–99.

[11] See: Tomuschat, Christian: The 1871 Peace Treaty between France and Germany, and the 1919 Peace Treaty of Versailles. In: Lesaffer 2004, *i.m.* 382–396.

[12] Payk, Marcus M.: „What we seek is the reign of law": the legalism of the Paris Peace Settlement after the Great War. In: *European Journal of International Law* 28(3) 2018, 809–824.

[13] As Daniel Schwartz rightly points out, Brian Orend's wording, which calls both the dictated and negotiated peace treaties as a *peace settlement*, is clearly contradictory.

these contracts and imposed unilaterally on the defeated parties may indeed justify the former designations. No matter how we may evaluate the content issues, they formally appeared in the form of a contract.

4 The arguments of Hungarian international lawyers

Trianon shocked Hungarian society, and the legal profession was no exception to this effect. It was an obvious task for Hungarian international lawyers to scientifically process any potential arguments against the Treaty of Trianon and make them available to Hungarian diplomacy. They were aware that legal arguments could be important for an isolated State with a severe lack of international resources. In addition, they could perceive the peculiar nature of their situation. In the case of an argument in international law, one must envisage the uncertain content of the rules set out in international legal sources and the ambivalence of one's own position, which stems from the fact that if one undertakes to represent a particular, one-state perspective, then it must be carried out by interpreting universal norms.[14]

Before presenting the arguments of Hungarian scholars of international law, it is worth briefly clarifying the issue *that could not be invoked* then and cannot be invoked today: the lack of intention of the State to enter into a treaty.

In the context of a peace treaty, the question arises as to what extent it should reflect the intention of the defeated party to conclude a treaty.[15]

See Schwartz, Daniel: The Justice of Peace Treaties. In: *The Journal of Political Philosophy* 20(3) 2012, 274, illetve Orend, Brian: Just post bellum: the perspective of a just-war theorist. In: *Leiden Journal of International Law* 20(3) 2007, 575–576.

[14] Koskenniemi, Martti: Foreword. Martti Koskenniemi: Foreword. In: Jones, Fleur – Joyce, Richard – Pahuja, Sundhia (eds.): *Events: The Force of International Law.* Abingdon: Routledge – Milton Park. 2011, XIX.

[15] In the vast majority of cases, there is clearly a winner and a loser in a peace treaty. However, this may not be clear in some instances. This was the case, as one of my anonymous reviewers pointed out, for example, in the case of the Vasvár Peace of 1664. Indeed, in the Peace of Vasvár, although the Hungarian orders later gave a well-founded assessment of the signing of the treaty, the Porta could not have expected more favourable conditions even in the event of victory Tarján M. Tamás: A vasvári

It is clear that such an international agreement incorporates conditions dictated by the winning party. International treaties, like any other legally binding agreements, should be based on the genuine intention of the parties to conclude an agreement. It follows from sovereignty that international law could not oblige a country against her will, in fact, no restriction may be presumed.[16] It would be an inherent requirement for the sovereignty of States to have a consensus without exception in international legal decision-making.[17]

Current international law is based on the UN Charter and the Convention on the Law of Treaties, done at Vienna on 23 May 1969.

The UN Charter generally prohibits the threat and use of force in interstate relations. Article 52 of the 1969 Vienna Convention, entitled "Coercion of a State by the threat or use of force" provides as follows.

> "A treaty is void if its conclusion has been procured by the threat or use of force in violation of the principles of international law embodied in the Charter of the United Nations."

The cited article of the said Convention adopted by a large majority of signatory States at the Vienna Conference, taking into account Articles 44 and 45, may be established as the grounds for the invalidity of an international agreement, the safeguard of free consent of the signatories and a sanction for enforcing the conclusion of a treaty by threat or use of force.[18] However, Article 52 is not applicable to peace treaties, even if the defeated party has been forced to acquiesce to it by the threat or use of force, despite being opposed to it. The practice

béke. http://www.rubicon.hu/magyar/oldalak/1664_augusztus_10_a_vasvari_beke/, accessed: 08. 12. 2020.

[16] *S.S.Lotus Case* (France v. Turkey) Judgment P.C.I.J. Ser. A, No. 10, (1927) 4.

[17] The consent of every State is not necessary for the validity of general customary law, likewise it is not needed for the validity of the rules of *jus cogens* and *erga omnes* in international law either.

[18] Forlati, Serena*:* Coercion as a Ground Affecting the Validity of Peace Treaties. In: Cannizaro, Enzo: *The Law of the Treaties Beyond the Vienna Convention*. Oxford: Oxford University Press. 2011, 321.

of States does not call into question the validity of peace treaties.[19] Although it was noted in the UN International Law Commission that Article 52 was to be applicable to all treaties after the entry into force of the UN Charter, it was added that "No doubt" this is not the case with peace treaties.[20] This expressly reaffirms the otherwise general prohibition of retroactive effect in international agreements, which in this case may have arisen, because the Convention considerably consolidated existing customary law.

The reason why this rule of nullity cannot be applied is related to the exceptional nature of peace treaties, which is that the validity of such international conventions simply does not require the genuine contractual intention of the defeated party. On the one hand, this may derive from trying to avoid any potential destabilisation of peace treaties.[21] Moreover, the wording of Article 52 makes it clear that only the threat or illegal use of force may invalidate a peace treaty, *i.e.* a peace treaty imposed on an aggressor State by a victim of the aggression may be considered as valid, and this is also the case if the Security Council acts subject to Chapter VII of the UN Charter.[22]

Thus, in the current context of international law, peace treaties do not require consensus between winners and losers.

As a matter of fact, *even before the prohibition of launching a war of aggression under international law*, it was the case that genuine contractual intention of the defeated party was not required for the peace treaties to be valid. Thus, the same applied to the First World War even if there was no general ban on the use of interstate force, i.e. international law allowed "to settle disputes by employing reciprocal military force".[23] Consequently, although States were required to attempt at settling their international disputes peacefully, it was internationally

[19] *Ibid*. 324.

[20] YILC 1966, Vol. I 247, para 7.

[21] Forlati 2011, *i.m.* 321.

[22] Aust, Anthony: *Modern Treaty Law and Practice*. Cambridge: Cambridge University Press. [2]2007, 256–257.

[23] Buza, László: *A revízió nemzetközi jogi alapjai*. Budapest: Politzer Zsigmond és fia kiadása. 1933, 13.

legitimate to use military force to resolve their conflicts. The defeat suffered in the war did not constitute a coercion entailing the nullity of the peace treaty.[24] Until 1969, the rules of international law concerning international treaties were governed by customary law. Given the thousands of years of practice and the hardly questionable *opinio iuris*, which is confirmed by the fact that States have been rotating between a winning or losing position, it is acceptable under customary law if there is a lack of genuine intent on the part of the latter in peace treaties.

Neither subject to international law at the time nor today can it be argued that the Treaty of Trianon was *created simply as a result of coercion*.

Thus, this issue was not raised by the Hungarian international lawyers of the period. However, this did not mean that all forms of military force could have been regarded as legal. Thus, it was clearly in violation of international law for one State to launch an armed attack against another in relation to which it had committed itself to respect its perpetual neutrality under international law, or to slaughter wounded enemy soldiers in gross violation of the right to war. This includes when, in violation of the international rules of warfare, the victorious party, in breach of the truce agreement it has adopted, militarily violates the provisional demarcation lines designated therein, and in force until the peace treaty provides otherwise.

The arguments of some authors of Hungarian jurisprudence between the two world wars *extended beyond* the (positive) international law of the time. These were basically twofold. On the one hand, they invoked political norms without international legal force, also relying on their moral strength, according to which assuming that during the post-World War I settlement the Entente Powers would have wished to enforce the rights of peoples, with special regard to the right to self-determination.[25] Diplomat Antal Ullein-Reviczky, a lecturer in international law at the University of Debrecen, discusses this issue widely in his book published in Paris. The aim of the author was to

[24] Flachbarth, Ernő: *A területi revízió jogi alapjai.* Budapest: Erdélyi Férfiak Egyesülete. 1933, 8.

[25] The self-determination of peoples became mandatory under international law only by incorporating it into the UN Charter as a principle.

establish the right to a referendum on the detached territories under international law.[26]

On the other hand, attention was drawn to the unreasonable nature of the provisions of the Treaty of Trianon. The memoir by Ödön Kuncz, university professor and dean of the Pázmány Péter University in Budapest, which was drawn up for and at the request of Sir Robert Gower, a British politician who had been inaugurated as Honorary Doctor, pointed out that the assertion of ethnicity brought about a more mixed and unfair status also from a national aspect, moreover, established unviable States, rendering any substantive cooperation among them impossible, preventing the existence of a large economic area capable of consumption. The memoir formulates minimum objectives of territorial revision, hoping in the enforcement of the principle of national self-determination.[27]

The other part of the arguments *remained within the scope of international law at the time*. These arguments focus on the issue of the validity of the Treaty of Trianon.

As it has already been said, the fact that the Treaty of Trianon was *generally* the result of coercion in violation of international law could not be relied upon. At the same time, during the First World War, in addition to legal coercion, the Entente Powers *used illegal coercion against Hungary, crossing the demarcation lines designated by the truce agreement*.[28] A truce agreement puts an end to the fighting, and the demarcation line is to be used to separate the troops. The Entente Powers breached not only the ceasefire in Padua on November 3, 1918, concluded with the Monarchy, but also crossed the demarcation lines established by the truce agreement concluded with Hungary ten days later in Belgrade, continuing to invade the territory of the Hungarian State. According

[26] Ullein-Reviczky, Antal: *La Nature Juridque des Clauses Territoriales du Traité de Trianon*. Paris: Editions S. Pedone. 1936, 5–44.

[27] Kuncz Ödön: *A Trianoni békeszerződés revíziójának szükségessége. Emlékirat, amelyet a budapesti Királyi Magyar Pázmány Péter Tudományegyetem Jog- és Államtudomány Karának Dékánja intézett Sir Robert Gower angol képviselőhöz*. Budapest: Királyi Magyar Egyetemi Nyomda. 1934, 9–11.

[28] Buza 1933, *i.m.* 13–14.

to the latter, they should have stopped south of the upper river Nagy-Szamos, Beszterce (Bistriţa), Maros (Mureş), the mouth of the Maros (Mureş), Szabadka (Subotica), Baja, Pécs, and south of the Drava.[29]

The question now is whether the illegal use of force was of such gravity as to render the Treaty of Trianon invalid. Ernő Flachbart, a university professor at the University of Pécs[30] and Professor László Buza from Szeged, found no grounds for invalidity[31] of the Treaty of Trianon as a whole, however with regard to the provisions governing borders they did, as we shall see. The former author also considered the illegal use of force to be such, while the latter did not.

Customary international contract law at the time, like the 1969 Vienna Convention on the Law of Treaties determining the current legal situation, considers deception of a material circumstance to be one of the grounds for invalidity of an intergovernmental agreement. In the context of diplomatic documents that have since become available and disclosed, it has become clear that, for the sake of gaining territories, the states concerned, whose representatives were free to participate in the preparation of peace, have substantiated their claims with falsified ethnic statistics.[32] However, they could not have relied on this not only because the documents relating to them could hardly be known by them, but also because it could have been relied on only by the Entente Powers, which could in fact be deemed as having been deceived.

In connection with the fraud, Hungarian scholars of international law between the two world wars referred to the letter of the French Prime Minister Alexandre Millerand dated 6 May, 1920,[33] as misleading the Hungarian government and as a result of which they signed the Treaty of Trianon. This letter was an accompanying letter to the Treaty

[29] Flachbarth 1933, *i.m.* 9–10. (emphasis added by the author).

[30] *Ibid*. 9–10.

[31] Buza 1933, *i.m.* 12.

[32] Makkai Béla: Trianon – „hol nemzet süllyed el…" In: *Polgári Szemle* 2019/1–3, 344–363, available at: *https://polgariszemle.hu/archivum/166-2019-augusztus-15-evfolyam-1-3-szam/magyar-tortenelem/1036-trianon-hol-nemzet-sullyed-el,* accessed: 10. 10. 2020.

[33] The official Hungarian translation of the letter is to be found in: Az „Ordo" Törvénytára 4. A Magyar Békeszerződés és a becikkelyező törvény magyarázata. *Ordó Törvénytára 4*. Budapest: Ordo. 1921, 2–5.

of Trianon and called upon the Hungarian government to sign it. Misrepresentation is considered to be the most important argument against Trianon.[34] It is worth quoting the most important, relevant section of this letter:

> "However, the Allied and Associated Powers did not forget the idea that guided them when imposing borders, and they also addressed the possibility that the frontiers thus established may not fully meet ethnographic or economic expectations everywhere. An on-the-spot inspection may necessitate the redrawing of the borders determined by the Treaty in certain places. However, such an inquiry cannot be carried out today, because it would delay the conclusion of peace for an indefinite period, whilst the whole of Europe yearns for it. But then, once the Frontiers Committees have begun their work, and if they believe that the measures of the Treaty, as we have said above, are unjust in some places, and that it is in the public interest to remedy this injustice, they will be able to report to the Council of the League of Nations. In this case, the Allied and Associated Powers give their consent that, at the request of one of the Parties, the League Council may offer its good offices for the purpose of altering the original frontier, under the same conditions, in a peaceful manner where a Frontiers Committee deems it desirable."[35]

In its memorandum of 17 May 1920, the Hungarian Government expressly referred to the above and signed the peace treaty on that basis, upon the assumption that the promise would be honoured by the victors. Not only did the letter deceive the Hungarian government, but an ancillary contract was concluded with the letter and the memorandum, and the victors failed to fulfil their obligations arising therefrom.[36]

[34] Ullein-Reviczky 1936, *i.m.* 133; Buza 1933, *i.m.* 23; Flachbart 1933, *i.m.* 11.

[35] Az „Ordo" Törvénytára 4. *i.m.* 3–4.

[36] Flachbart 1933, *i.m.* 11.

Hungarian international lawyers also cited Article 19 of the Covenant of the League of Nations, under which the General Assembly thereof could call on member states from time to time to revise treaties whose survival would jeopardise peace. However, the actual amendments would have had to be decided by the parties themselves, as stated by the Legal Committee of the League of Nations in connection with a treaty of 1904, which Bolivia wanted to revise.[37]

The provision paving the way for peaceful changes was, in principle, very weak and basically remained on paper regarding the border issues specified in the peace treaties. This is despite the fact that, in the case of Hungary, for example, the Venice Protocol of 13 October 1921 called for a referendum on the Treaty of Trianon concerning the allegiance of Sopron and its vicinity. An example of a substantive change was the replacement of the Treaty of Sévres, which was binding on Turkey, with the Lausanne Convention. However, this was driven by Turkey's armed resistance.

Arguments of international law are not formulated and do not exert an effect, or on the contrary, fail to succeed in a vacuum. This was also the case with the Hungarian arguments under international law expressed in connection with the Treaty of Trianon.

The tragic nature of the Treaty of Trianon is hard to dispute from a Hungarian perspective. Although it can be argued that the Treaty of Trianon would have had such an advantage that Hungary got rid of ethnic issues. On the one hand, this can hardly be considered justified - considering the case of the German minority during the period of Nazi agitation - and on the other hand, it would have been much better if a more balanced situation had been created with regard to minorities with neighbouring States. Not to mention that the need for change launched the Hungarian State on a path of compulsion in foreign policy.

After 1927, when Hungary's isolation in foreign policy diminished, and thus the possibility of change seemed to be enhanced, Hungarian

[37] *Uo.* 23.

international lawyers presented their arguments. Although they did not result in the expected revision, they proved several things:

On the one hand, there have been reasonable grounds to raise doubts under international law concerning the Treaty of Trianon due to the illegal use of force in violation of international law and fraud.

On the other hand, the reference to the Millerand letter underlined that the Entente Powers did not present the territorial issue as completely closed. Moreover, the insertion of Article 19 of the Covenant of the League of Nations seemed to provide some sort of institutional means for change, at least in principle.

In theory, therefore, it would have been possible to consider the need for revision as an international legal dispute. This was in the spirit of the age, no wonder that the Permanent Court of International Justice was established and operated during this period.

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