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Author(s): KEIJO KORHONEN

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Treaty of Friendship, Cooperation and Mutual Assistance between the Soviet Union and Finland: Some Aspects of International Politics

KEIJO KORHONEN, Ph.D.
Deputy Director of Political Affairs, Foreign Ministry of Finland

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The 25th anniversary of the Finnish-Soviet FCA-Treaty was celebrated with solemn ceremonies in April, 1973. Referring to the fact that this treaty has been misunderstood frequently in international discussions and, more recently, also in Finnish domestic debate, the author makes an effort to analyze the role the treaty plays in international politics. He notes that the first two articles of the treaty, 'the military articles', are precise and detailed, while the rest of the operative articles, referring to friendship and cooperation between the parties, are general in nature. This is natural since the treaty was designed specifically to provide military security in the situation of 1948. The author maintains that the military role of the FCA-Treaty has not lost its significance even now but that due to the tremendous changes in the European situation during the last 25 years the latter part of the treaty has assumed increasing importance in practice. Thus, while the text of the treaty remains unchanged and the whole treaty is revered by both parties, the operational center of gravity has moved, compared with the situation of 1948, more and more to the articles on friendship and cooperation.

Keijo Korhonen, Ph.D. Deputy Director of Political Affairs, Foreign Ministry of Finland.

Not often is the anniversary of a treaty between two states the object of such extensive public attention and celebration as was the case with the 25th anniversary of the Finnish-Soviet Treaty of Friendship, Cooperation and Mutual Assistance. The treaty stands as a symbol of Finnish-Soviet relations not only for the two countries concerned, but also for third parties. These relations, for their part, represent one element of the broader European and international political network which is presently undergoing profound, discernible change. These developments justify one's reflecting on how precisely the FCA-Treaty relates to the present international political scene and what role Finnish-Soviet relations might conceivably play in international politics.

I

Domestic debate in Finland has recently been preoccupied in part with the general

implementation of the country's foreign policy and in part with certain important foreign policy decisions that carry long-range implications. Because this debate has occasionally specifically touched on the FCA-Treaty between Finland and the Soviet Union and because it has not always been certain that the parties knew what they were talking about, one is perhaps at the outset justified in examining international agreements in a general sense: that is to say, what role do bilateral treaties play in international politics?

To begin with, it is possible to examine this question from the point of view of international law. However, although important, this approach does not offer a definitive answer. International law views treaties between states as indicators of the desires of national states. For this reason treaties are the most important source for international law. Particularly from the point of view of the Finnish-Soviet FCA-

Treaty a more interesting question is the political significance of such treaties. A state expresses the political orientation that it intends to pursue by means of such treaties. Bilateral agreements, then, make it possible for two states to express their common intention, wish, and determination to pursue a certain political course. Treaties alone will not suffice to realize such an orientation. Such treaties, however, do provide the framework within which states can then formulate the practical dimensions of such policies.

For third countries such treaties serve as important policy indicators: they are recognized and serve policy planning toward these countries. It is also possible to conclude that as international cooperation expands the need and the significance of such indicators take on greater importance in all sectors affecting relations between states. For this reason too the number of bilateral treaties is quite large and their number is continually growing.

Because of their function as indicators great care is attached to both their content and their form. In such circumstances even individual words might be subjected to lengthy and difficult evaluation. What is deemed important of course depends on the negotiators and on the prevailing political situation. It should then be obvious that every international agreement reflects the particular circumstances in which it was concluded. This, in turn, explains why the function and significance of the treaty is subject to development and change although in letter it remains unchanged, and although the parties under all circumstances abide by its letter. Changes in the quality of the function and significance of treaties naturally apply mostly to long-term treaties to which the 25-year-old FCA-Treaty also undoubtedly belongs.

A treaty can be consummated only if two states reach accord on it. This obvious observation explains why a bilateral treaty must be in the interests of both parties. This is again due to the fact that the durability and permanence of the treat-

ty is in direct proportion to the benefits both parties receive from it at present and what they will receive as conditions change. If the treaty should no longer be in the interests of either party, it would cease to be relevant and at some point would have to be revised. In this respect the treaty between Finland and the Soviet Union has stood up very well. For 25 years — in both a changing world and a changing Europe — both parties have stated officially and demonstrated in practice by improving relations between them that the treaty continues to serve their national interests.

Bilateral treaties are documents of international law. They reflect, as I stated earlier, the political conditions at the moment they are drawn up. As a result, problems of interpretation — even of conflicting interpretation — arise. In a formal sense international machinery does exist for the interpretation of treaties; I refer here to the United Nations and especially to the Hague Tribunal. The importance of these international organs of mediation and arbitration should not be underestimated. Small, neutral countries consider more effective international organizations with the authority to deal with a wider range of problems crucial to the development of a peaceful world order. Nevertheless, with regard to conflicts of interpretation we might do well to recall the words of the former President of Finland, J. K. Paasikivi, who pointed out that there are no municipal courts to hand down a competent and tenable decision. Nor are there any policemen to enforce the decision of the court. In the case of bilateral agreements in particular, the contracting parties must work out a solution for themselves. The interpretations of outsiders are of no help.

One can say with only slight exaggeration that a bilateral treaty — especially a political one — betrays its weaknesses when one of the participants demands that the other act in some explicit way, appealing to the terms of the treaty. A demand of this sort represents a charge that the

other party has not lived up to the terms of the agreement. It should be sufficiently easy to determine what constitutes fulfillment of the treaty so that neither party need urge the other to carry out its part of the bargain. In this sense one should never have to use a bilateral treaty at all — at least not in this manner. When life itself makes it necessary to interpret a treaty, i.e. a practical approach must be established on the basis of the treaty, then both parties will interpret it similarly, each of course in terms of its own national interests. Here a bilateral treaty acts as an indicator, showing that the common intent which gave rise to the agreement in a given historical context still has meaning.

II

After these general remarks I am going to deal with the international aspects of the bilateral treaty between Finland and the Soviet Union. What makes this treaty, which has undeniably served as the foundation and the symbol for the development of relations between these two countries, interesting from the international point of view?

The operative part of the treaty is divided in two (excluding the so-called technical articles of the treaty text). The initial part deals with security and military affairs. Its provisions are extremely detailed. The second part, the next four articles (3—7), concerns international behavior, which the cosignatories agree to support, and relations between the two countries — what they cannot do and what they should do. In contrast to the first, this section is rather loose and of a general nature.

It is quite obvious that the Treaty of Friendship, Cooperation and Mutual Assistance signed in 1948 was designed specifically to provide for the security outlined in the first two articles. On the part of the Soviet Union the first efforts to resolve these security needs were actually made before the Winter War, during the so-called Yartsev negotiations in 1938—

1939. In March-April 1948, some rather hard bargaining which touched on many of the implications of these articles took place in political bodies in Finland and in talks between the two sides in Moscow before the treaty was signed. Fear and speculation in Finland, prevalent during the first few years after the treaty was signed, concerned these very articles. Modifications and concessions which the Soviet Union accepted in these same articles are largely responsible for making this treaty unique among those bearing the same name concluded between the Soviet Union and other countries. The following phrase from the introduction shows how the treaty corresponds to the interests of both Finland and the Soviet Union: 'Taking into account the desire of Finland to remain outside the conflicts of the great powers'.

If the model first presented by the Soviet Union had been followed in drafting the treaty, the agreement would have constituted a military alliance and Finland's desire to remain outside conflicts between the great powers could not have been realized. The fact that the necessity for change and compromise was correctly understood by the Soviet Union was the result of the consistency and reasonableness of President Paasikivi and the Finnish negotiators. The result is also a tribute to the reasonableness of the Soviet leaders. Here I would like to quote from President Paasikivi's speech of 9 April 1948, 'It can be noted that the models used for other countries were not applied here and that the treaty takes our geographical location and special circumstances into account.'

Much has been written about the military clauses in the treaty, particularly some ten years ago, after the so-called 'Note Crisis' of 1961. Now and then there has even been some Scholastic hair-splitting, which has not necessarily helped matters. A new stage in the discussions began quite recently in Finland. In connection with this, some characteristics have been attributed to the treaty in general and

also to the military clauses, which did not appear when the treaty was being drawn up, which are not supported by the text of the agreement and which do not correspond to the interpretations approved by both parties on numerous occasions. Without delving any further into the debate we can say that unrealistic notions of this kind — products of political immaturity — which have appeared from time to time, have not contributed to the development of relations between Finland and the Soviet Union.

Let us return to the basic sources, to the first public authoritative analysis of the treaty. President Paasikivi made it 25 years ago in the speech mentioned above on 9 April 1948. This is what he had to say about the articles concerning military affairs:

In brief, if Finland is attacked or if the Soviet Union is attacked through Finnish territory by Germany or its ally, we will defend our territorial integrity as best we can. If we need aid, the Soviet Union will then provide the aid agreed upon. I consider all of this self-evident. It is a result of the nature of the situation and no-one should have anything to say against it,

emphasized Paasikivi. He continued:

Repelling an attack launched against the Soviet Union through Finland is, quite correctly, primarily a Finnish responsibility. Only secondarily does it concern the Soviet Union. With regard to all actions that might be taken, Finland has the right to safeguard its own interests.

This is how Paasikivi put it. It could scarcely have been expressed more clearly.

If we compare the treaty concluded between Finland and the Soviet Union with other treaties of the same name which the Soviet Union signed with its European neighbors, Romania, Czechoslovakia, Bulgaria, Hungary, Poland and the German Democratic Republic, the distinctive character of the FCA-Treaty made with Finland is still more apparent. The above-mentioned treaties include stipulations which concern the general obligation to provide aid against any aggressor any-

where, the general obligation to consult about important international questions, and ideological obligations, i.e. the obligation to defend socialism in Europe and throughout the world. These countries also maintain constant close cooperation in military affairs within the framework of the Warsaw Pact.

Finland, a Scandinavian democracy with a western social and economic system required a different arrangement, or as Paasikivi put it, our geographical position and special conditions were taken into account without relying on models applied to other countries. The bilateral treaty between Finland and the Soviet Union contains none of the stipulations mentioned above. This of course permits the treaty to function in a manner not always understood outside Finland. The treaty is the essential element of the set-up in which our neutral foreign policy is built and consequentially neutrality conflicts in no way with the treaty. The treaty is fully compatible with Finnish neutrality.

Here we must return to the question of the use of international treaties in general. The parties involved recognize the existence of a certain situation and agree to strive for certain goals, using certain means. That is why a good treaty must be flexible; it must provide an opportunity for necessary modifications as conditions change and relations develop. A good treaty serves as means for keeping in touch, as a medium of communication. The treaty between Finland and the Soviet Union has proved effective in this sense, too. The military articles were drawn up on the basis of the situation in 1948, with the needs and the strategic facts of that period in mind — and there was abundant fresh historical evidence for these facts. These stipulations were worded precisely, in a way that coincided with the interests of both states. The treaty is not a military alliance. From the military point of view it resembles more a kind of re-insurance agreement. Within its framework the parties are bound to act in a certain situation which does not yet exist but for which

precise preparations must be made. The intention has not been, nor is it at present, to involve Finland in military alliances or in conflicts between the great powers. The military articles of the treaty deal with the mutual security of the parties. The objective is the creation of political conditions which will facilitate the prevention of military conflict, not only on Finnish territory, but in the entire northern Baltic region as well. No-one doubts that the strategic situation in Europe has undergone revolutionary change since 1948. The danger that Finland might be forced to serve as the springboard for an attack against the Soviet Union or as a part of the battlefield itself has decreased, and this is to everyone's advantage. But the fact that every article and every letter of the treaty is upheld still has significance in terms of regional security. The significance may have changed over the years, but it has not decreased. The military articles of the treaty are by no means obsolete.

III

I stated that the treaty can actually be divided into two different parts. The latter part, broad in scope and general in nature, apparently did not attract any particular attention 25 years ago during the negotiations or in domestic debate in Finland. In Paasikivi's speech mentioned above only a fleeting reference is made to it, and this merely for the sake of completeness. But it is very typical of the evolution of the role of treaties in general and in particular of the change that has taken place in the role and function of the treaty between the Soviet Union and Finland, that this more general section dealing with friendship and cooperation has assumed increasing importance in recent years.

On closer analysis there are actually two things at stake in this part of the treaty. Articles 3 and 7 confirm the loyalty of the parties to the objectives and principles of the United Nations. Article 4 and articles 5 and 6 deal with bilateral

relations. The last two are typical of classic international treaties in that both parties promise to refrain from taking action *against* the other: in article 4 by refusing to join any alliances directed against the other party and in article 6 by upholding the principle of sovereignty, independence and non-interference in the affairs of the other. Article 5 alone stipulates the improvement of bilateral relations. In brief, it provides for the following:

The high contracting parties give assurance of their decision to act in a spirit of cooperation and friendship towards the further development and consolidation of economic and cultural relations between Finland and the Soviet Union.

As such, it is merely a statement of principle. What it means in practice has always depended and still depends on the various arrangements made in the many fields in which cooperation between the two countries takes place. Thus success in the continued improvement of relations between the two countries in the spirit of cooperation and friendship depends on the abilities and the good will of both. The basis provided in the treaty alone is too indefinite to serve as a guide in practice. On the other hand it has become a custom to refer to this article of the treaty when cooperation between the two countries in some new field is initiated. This fact also indicates the respect that both sides have for the treaty as the foundation for all other agreements between the two countries.

The function of the treaty from an international point of view is apparently twofold. On the one hand it is understood and it shall be understood in the future as a unique framework for agreements between Finland and the Soviet Union. In this way the treaty has provided the goal and the form for good neighbourly relations between a large socialist country and a small capitalist country on the basis of equality, independence and non-interference in each other's affairs, in accordance with the policy of peaceful coexistence

practised by the Soviet Union. The durability of the result and the unchanging nature of relations between the two countries demonstrates that the treaty satisfies both parties and coincides with their interests. Care was taken to assure the bilateral nature of this benefit a quarter century ago. Since then it has been reaffirmed in contacts between the two nations. Those doubts which outsiders have expressed since the very beginning — that the treaty would prove a strain on Finland's independence — have proved groundless.

It has often been pointed out that the treaty is a unique arrangement, a special case. It was not intended as a general model for relations between European states. All states have their own require-

ments with regard to national security. What suits one state might not be practicable for another state. Treaties like the one between Finland and the Soviet Union cannot be exported. But the results of the treaty — good relations and peaceful co-existence between two countries, one small, the other large, with different social systems — can be offered as an international example.

In this sense it is possible to say, adapting a statement made by the President of Finland on 22 November 1972, that the Treaty of Friendship, Cooperation and Mutual Assistance has been evolving into a positive, permanent part of the new balance of power in Europe, in a manner similar to the Finnish policy of neutrality itself.

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