

1971

## The Brezhnev Doctrine

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### Recommended Citation

Stephen G. Glazer, *The Brezhnev Doctrine*, 5 INT'L L. 169 (1971)  
<https://scholar.smu.edu/til/vol5/iss1/13>

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## The Brezhnev Doctrine†

The Charter of the United Nations foresees the development and application of international law solely in accordance with its provisions.<sup>1</sup> Nothing has demonstrated the futility of such expectations as clearly as an address before the Polish Communist Party Congress on November 12, 1968 in which Soviet party chief Leonid Brezhnev enunciated the doctrine that has come to bear his name.

Most of his speech was devoted to past accomplishments of communism, exhortations for the future, and criticisms of the West. Near the end he began to discuss the concept of sovereignty as it applies to socialist countries:

The socialist states stand for strict respect for the sovereignty of all countries. We emphatically oppose interference in the affairs of any states, violations of its sovereignty.

At the same time the establishment and defense of the sovereignty of states that have embarked upon the road of building socialism is of particular significance for us communists. The forces of imperialism and reaction seek to deprive the people of this or that socialist country of the sovereign right they have gained to insure the prosperity of their country, the well-being and happiness of society, free from any oppression and exploitation [sentence as received] and when encroachments of this right encounter a righteous rebuff by the socialist camp, bourgeois propagandists raise a clamor over 'defense of sovereignty' and 'non-intervention.' It is clear that this is utter fraud and demagogy on their part.

In reality, these shouters do not care for the maintenance of socialist sovereignty but for its destruction.

It is common knowledge that the Soviet Union has done much for the real strengthening of the sovereignty and independence of the socialist countries. The CPSU has always advocated that each socialist country determine the specific form of its development along the road of socialism with consideration for the specific condition of its nationals.

However, it is known, comrades, that there also are common laws governing socialist construction, a deviation from which might lead to a deviation from socialism as such.

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\*J.D., Georgetown Univ. Law Center (1970).

†This paper was awarded first place in the 1970 Henry C. Morris International Law Essay Contest.

<sup>1</sup>See Article 13: "The General Assembly shall initiate studies and make recommendations for the purpose of (a) promoting international cooperation in the political field and encouraging the progressive development of international law and its codification."

And when the *internal* [emphasis supplied] and external forces hostile to socialism seek to halt the development of any socialist country and restore the capitalist order, when a threat to the cause of socialism in that country, or a threat to the security of the socialist community as a whole emerges, this is no longer only a problem of the people of that country but also a common problem, concern for all socialist countries.

It goes without saying that such an action as military aid to a fraternal country to cut short the threat to the socialist order is an extraordinary enforced step, it can be sparked only by the direct actions of the enemies of socialism inside the country and beyond its boundaries, actions creating a threat to the common interest of the socialist camp.<sup>2</sup>

### **The Brezhnev Doctrine and International Law<sup>3</sup>**

Brezhnev's speech before the Polish Communist Party Congress was directly foreshadowed by an article published in *Pravda* on September 25, 1968, entitled "Sovereignty and International Duties of Socialist Countries." In it, S. Kovalev, a *Pravda* staff specialist on propaganda, formulated a theory of sovereignty based on socialist international law to rebut the—

assertions, held in some places, that the actions of the five socialist countries run counter to the Marxist-Leninist principle of sovereignty and the rights of nations to self-determination.

The groundlessness of such reasoning consists primarily in that it is based on an abstract, non-class approach to the question of sovereignty and the rights of nations to self-determination.<sup>4</sup>

After repeating the Marxist-Leninist principle that the world is split into two opposing social systems—capitalism and socialism—and quoting Lenin: "Each man must choose between joining our side or the other side," Kovalev continued:

Naturally the communists of the fraternal countries could not allow the socialist states to be inactive in the name of an abstractly understood sovereignty when they saw that the country stood in peril of anti-socialist degeneration. . . . Formal observance of the freedom of self-determination of a nation in the concrete situation that arose in Czechoslovakia would mean freedom of "self-determination" not of the popular masses, the working people, but of their enemies.<sup>5</sup>

The theory was then unveiled in its entirety:

Those who speak about the 'illegal actions' of the allied socialist countries in Czechoslovakia forget that in a class society there are not and there cannot be non-class laws.

Laws and legal norms are subjected to the laws of the class struggle, the

<sup>2</sup>Moscow Tass International Service in English, Nov. 12, 1968.

<sup>3</sup>The applicability of the United Nations Charter is discussed hereunder.

<sup>4</sup>*Pravda*, Sept. 26, 1968.

<sup>5</sup>*Id.*

laws of social development. These laws are clearly formulated in the Marxist-Leninist teaching, in the documents jointly adopted by the Communist and Workers' Parties.

Formal juridical reasoning must not overshadow a class approach to the matter. In doing so, one loses the only correct class criterion in assessing legal norms, and begins to measure events with the yardstick of bourgeois law.<sup>6</sup>

Thus, insofar as they appear to conflict with the "laws of social development," Kovalev rejected principles of international law which had generally been accepted by all nations, including those in the socialist bloc, at least until September, 1968.<sup>7</sup>

Did Soviet intervention in Czechoslovakia, as an "ante facto" exercise of the Brezhnev Doctrine, provide the occasion for such a conflict? By basing their right of intervention solely on the principles of Marxism, both Kovalev and Brezhnev implied that the international law of the rest of the world ("bourgeois law") propounds an absolute theory of sovereignty. Intervention, however, is permitted under certain extraordinary circumstances:

Intervention being a violation of another state's independence, was recognized to be in principle contrary to international law, so that any act of intervention had to be justified as a legitimate case of reprisal, protection of nationals abroad, or self defense or, alternatively, as authorized under a treaty with the state concerned.<sup>8</sup>

Neither the 1957 and 1960 Resolutions, nor any of the treaties governing relations among communist states, give the Soviet Union the right to intervene.<sup>9</sup> Reprisals and protection of nationals abroad played no part in Czechoslovakia, nor are they likely to in future applications of the Brezhnev Doctrine. Self-defense remains the only possibility. In an article published in the December-1968 issue of *Sovetskoye gosudarstvo i pravo* (Soviet State and Law), O. Irinin and F. Nikolaev seemed to draw in-

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<sup>6</sup>*Id.*

<sup>7</sup>On October 3, 1968, Foreign Minister Gromyko spoke before the United Nations. He emphasized that "the Soviet Union considers it necessary to state, from this tribune too, that the socialist states cannot and will not allow the kind of situation in which the vital interests of socialism are infringed upon [or] encroachments are made upon the inviolability of the frontiers of the socialist commonwealth and so *ipso facto* upon the foundations of international peace."

<sup>8</sup>J. L. Brierly, *The Law of Nations* 402 (6th ed. 1963).

<sup>9</sup>See also I. Pomelov, *Razvitiye sotsializma i proletarskiy internatsionalizm* (The Development of Socialism and Proletarian Internationalism), *Kommunist*, 1, 1957 at 23. However, the following article appeared in *The Washington Post* on March 21, 1970:

Czechoslovakia and the Soviet Union yesterday initialed a new treaty of friendship and mutual assistance replacing a 1943 pact.

Officials said details of the new treaty would be made public after the formal signing in May. Westerners speculated that the new pact would ratify the protectorate status forced on Czechoslovakia by the Soviet-led invasion in 1968. Assuming the speculation were true, such a treaty would raise new problems which are beyond the scope of this memorandum.

spiration from the last paragraph of Brezhnev's speech, and attempted to link Czechoslovakia to West Germany:

The Bonn ruling circles felt that weakening the defense system of socialist nations by the removal of Czechoslovakia would lead to changes in the balance of power in Europe to the benefit of imperialism and then throughout the world. In turn this would have opened rosy prospects to Bonn for re-examining the results of the past war and redrawing the borders established after it ended. All these plans and calculations of the revanchist circles shrank before the direct danger of a new war.<sup>10</sup>

Even accepting the version detailed above, any action in Czechoslovakia would have had to satisfy two requirements to be called self-defense. First, proportionality: The reaction must be commensurate with the initial action. The Soviet Union might have been able to defend its use of force on the grounds that Czechoslovakia posed a military threat. Second, the need for self-defense must be "instant, overwhelming, leaving no choice of means and no moment for deliberation."<sup>11</sup>

Nothing can disguise the essential fact that Moscow had known about the changes in Prague since they were instituted—a much longer period of time than an "instant." Presumably, the same would hold true for developments in any other socialist country. Without radical changes, therefore, the concept of self-defense would not provide the needed justification for either Czechoslovakia or the Brezhnev Doctrine in general.

The Soviet Union seemed to prefer a new definition of "intervention." Kovalev hinted as much in one section of his article which discusses Czechoslovakia:

Socialism, by delivering a nation from the shackles of an exploiting regime, solves fundamental problems in the national development of any country that has embarked upon the socialist road. On the other hand, by encroaching upon the mainstays of socialism, the counter-revolutionary elements in Czechoslovakia undermined the very foundations of the country's independence and sovereignty.<sup>12</sup>

In other words, not "intervention," "dictatorial interference in the domestic or foreign affairs of another state which impairs that state's independence"<sup>13</sup> but an act of friendship and cooperation to preserve independence.

More than six months after the invasion of Czechoslovakia the Soviet Union seemed to be attempting such a course of action. On February 26, 1969, it submitted a draft of a definition of aggression to the U.N. Special Committee on Defining Aggression:

<sup>10</sup>See pp. 3-9.

<sup>11</sup>*Supra* note 8, at 406.

<sup>12</sup>*Supra* note 4.

<sup>13</sup>R. Clark, Memorandum on the Monroe Doctrine, Government Printing Office (1929).

[Aggression is]. . . the invasion by the armed forces of a state against the territory of another state. . . military occupation of another state. [But in accordance with the Brezhnev Doctrine] encroachment by one state on another's social and political achievements is aggression only when it involves states with different social systems.<sup>14</sup>

Nevertheless, the strongest and most recent evidence seems to indicate the absence of any genuine desire to justify the Brezhnev Doctrine in terms of traditional international law. It was not even mentioned in an article in the February 1969 issue of *Sovetskoye gosudarstvo i pravo* (Soviet State and Law) entitled *O nekotorykh tendentsiyakh razvitiya universal'noy mezhdunarodnoy prava* (Some Trends in the Development of a Universal International Law).<sup>15</sup>

### The Monroe Doctrine and the Dominican Crisis of 1965

Any mention of the Brezhnev Doctrine almost immediately recalls the Monroe Doctrine and the Dominican Crisis of 1965. Not that the Soviet Union ever used them to justify its actions, let alone recognized their validity. Thus, in 1960 at a news conference, a Russian reporter asked Khrushchev to discuss the Monroe Doctrine. He replied; "We consider that it has outlived its time. . . has died, so to speak, a natural death. Now it is well for the remains of this doctrine to be buried like any dead body so that it cannot poison the air as it decays." As for the Dominican Crisis, the Soviet Ambassador to the United Nations made the following statement:

By engaging in this criminal invasion of the territory of another country with the aim of interfering in its domestic affairs, the United States is flagrantly violating the United Nations Charter and in particular the provisions of Article 2, paragraph 4, which reads: 'All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.' The United States has also violated Article 2, paragraph 7, of the United Nations Charter. . .<sup>16</sup>

However, the Monroe Doctrine and the Dominican Crisis of 1965 merit discussion, because some tend to equate them with the Brezhnev Doctrine and because they serve as an ideal backdrop for the latter.

#### A. The Monroe Doctrine

Like the Brezhnev Doctrine, the Monroe Doctrine was originally only a portion of a speech:

The occasion has been judged proper for asserting, as a principle in which

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<sup>14</sup>N.Y. Daily Post, Mar. 1, 1969.

<sup>15</sup>The Soviet Union does not employ the term "Brezhnev Doctrine." What was lacking in the article was any reference to the *concept* of limited sovereignty.

<sup>16</sup>20 U.N. SCOR, 1196th Meeting 11-18 (1965).

the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for further colonization by an European power. . . In the wars of the European powers, in matters relating to themselves we have never taken any part, nor does it comport with our policy to do so. . . We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider an attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States.<sup>17</sup>

Almost a hundred years later, it was modified by the Roosevelt Corollary. Financial mismanagement in the Dominican Republic had increased the likelihood of intervention by European creditor nations. Hoping to remove any ground for them to act, President Theodore Roosevelt stated in his annual message to Congress on December 6, 1904:

Any country whose people conduct themselves well can count upon our hearty friendship. If a nation shows that it knows how to act with reasonable efficiency and decency in social and political matters, if it keeps order and pays its obligations, it need fear no interference from the United States. Chronic wrongdoing, or an impotence which results in a general loosening of the ties of civilized society, may in America, as elsewhere, ultimately require intervention by some civilized nations, and in the Western Hemisphere, the adherence of the United States to the Monroe Doctrine may force the United States, however reluctantly, in cases of wrongdoing or impotence, to the exercise of the international police power. . . If within their borders the reign of law and order obtains, prosperity is sure to come to them. While they thus obey the primary laws of civilized society they may rest assured that they will be treated by us in a spirit of cordial and helpful sympathy. We would interfere with them only in the last resort, and then only if it became evident that their inability or unwillingness to do justice at home and abroad had violated the rights of the United States or had invited foreign aggression to the entire body of American nations.<sup>18</sup>

While the Roosevelt Corollary soon provided an excuse for United States intervention in Latin America, it did not necessarily violate international law. As early as 1861, the British Minister to Mexico had replied to the denunciation by the United States of foreign intervention to compel payment of debts: "If the position of the United States. . . is maintained, I cannot but view it as binding that country to assume the moral obligation toward other nations of restoring peace and order in Mexico,

<sup>17</sup> Richardson, *Messages and Papers of the Presidents* 207-220.

<sup>18</sup>*H.R. Doc.* No. 1, 58th Cong., 3d Sess. 412 (1904).

and of preventing scenes which disgrace humanity and neutralize. . . the international rights and commercial relations of civilized nations.”<sup>19</sup>

By 1929 the United States had begun to re-evaluate the Roosevelt Corollary. Reuben Clark, Under Secretary of State during the Hoover administration, wrote:

The so-called Roosevelt Corollary was to the effect. . . that in case of financial or other difficulties in weak Latin American countries, the United States should attempt an adjustment thereof lest European governments should intervene, and in intervening should occupy territory—an act which would be contrary to the Monroe Doctrine. . . It is believed that this corollary is not justified by the terms of the Monroe Doctrine, however much it may be justified by the application of the doctrine of self-preservation.<sup>20</sup>

President Franklin Delano Roosevelt unequivocally abandoned the Corollary in the Good Neighbor Policy. In the Buenos Aires Convention of 1936:

The High Contracting Parties declare[d] inadmissible the intervention of any one of them, directly or indirectly, and for whatever reason, in the internal or external affairs of any of the parties. The violation of the provisions of this article [was to] give rise to mutual consultation with the object of exchanging and seeking methods of peaceful adjustment.

Monroe set forth his Doctrine 147 years ago. During that time it has been defined and redefined, used and abused, until objective interpretation became difficult if not impossible. But even a cursory examination of the wording reveals the fundamental differences between it and the Brezhnev Doctrine. The former is a policy of self-defense applied solely to European attacks upon the Western Hemisphere which might endanger the security of the United States. It does not discuss the relations among the American states. Reuben Clark emphasized this:

The Doctrine does not concern itself with purely inter-American relations; it has nothing to do with the relationship between the United States and other American nations, except where other nations shall become involved with European governments in arrangements which threaten the security of the United States. . . The fact should never be lost to view that in applying this Doctrine . . . our government has over and over again driven it as a shield between Europe and the Americas to protect Latin America from the political and territorial thrusts of Europe; and this was done at times when . . . the political morality of Europe sanctioned, indeed encouraged, the acquisition of territory by force.<sup>21</sup>

The Brezhnev Doctrine, on the other hand, gives the Soviet Union the rights to intervene “when the *internal* [emphasis supplied] and external forces hostile to socialism seek to halt the development of any socialist

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<sup>19</sup>See H.R. Exec. Doc. No. 100, 37th Cong., 2d Sess. 15-17, 22, 187-90 (1861); Department of State: Instructions to Great Britain 138-40 (1862).

<sup>20</sup>*Supra* note 13.

<sup>21</sup>*Supra* note 13.



country and restore the capitalist order, when a threat to the cause of socialism in that country or a threat to the security of the socialist community as a whole emerges.”<sup>22</sup>

### *B. The Dominican Crisis of 1965*

At first glance American intervention in the Dominican Republic in 1965 seems indistinguishable from the Soviet invasion of Czechoslovakia in 1968. Both actions were largely unilateral, although each country succeeded in obtaining token forces from other countries. Nevertheless, there are several crucial distinctions.

First, the Soviet Union dispatched more than 500,000 soldiers compared with 14,000 by the United States. Second, the United States permitted United Nations observers. Third, the lives of American citizens and other foreign nationals may have been in danger. Fourth, American aid was requested. No government official could be found in Czechoslovakia who could be said to have extended an invitation to the Soviet Union. If such a distinction seems to place a premium upon the existence of a Quisling, it should not be forgotten that in 1965 no one knew which faction represented the real government of the Dominican Republic. Fifth, the United States intervened to preserve “the right of all of the free people of this hemisphere to choose their own course without falling prey to international conspiracy from any quarter.”<sup>23</sup> Nor were the United States forces. . .

occupying the Dominican Republic. They [were] not asserting authority to govern any part of the country. They [were] not taking sides in the civil conflict. United States action ha[d] been taken in order to help preserve for the people of the Dominican Republic their right to choose their government free from outside interference.

Experience [had] shown that if a group led by communist conspirators and inspired by an outside power [were] permitted to seize control of a country by force, any further consideration of the right of the people of that country to choose their own course [would have been] an empty gesture.<sup>24</sup>

The United States acted to guarantee the Dominican Republic the right to any non-communist form of government. The Soviet Union invaded Czechoslovakia in the absence of a civil conflict to enforce a form of government which the people of Czechoslovakia wished to change.

Sixth, and most important of all, the Organization of American States played an important role. Intervention in Latin America had been eliminated *only* by a nation acting unilaterally. Article 19 of the OAS Charter declares that “Measures adopted for the maintenance of peace and secur-

<sup>22</sup>*Supra* note 2.

<sup>23</sup>1965-1 Johnson, Public Papers of the President of the United States 461.

<sup>24</sup>Opinion of Legal Advisor of Department of State, *Legal Basis for United States Actions in the Dominican Republic*, May 7, 1965.

ity in accordance with existing treaties do not constitute a violation . . .” And the Inter-American Treaty of Reciprocal Assistance permits the use of armed force (Article 8) in any of the situations listed in Article 6 including “any other fact or situation that might endanger the peace of America.” Neither the 1957 or 1960 Resolution governing relations among communist states nor the Warsaw Pact contains such language.

In no way then can the actions of the United States in the Dominican Republic be construed as the exercise of a *de facto* Brezhnev Doctrine. The latter is unique.

### The United Nations

Since the Brezhnev Doctrine permits the use of force, it violates Article 2, Paragraph 4 of the United Nations Charter:

All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

In the event of a conflict between a principle of international law and the Charter, the latter controls.<sup>25</sup> Thus, the Brezhnev Doctrine is illegal.

Article 2, Paragraph 7 is also pertinent:

Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter.

What the United Nations could not do acting collectively, would be forbidden a fortiori to individual nations.

Nor does Article 51 on self-defense provide a basis. Only “armed attack” is specifically mentioned, which would hardly encompass ideological dangers.

Under Soviet pressure, the Czechoslovak government asked the Security Council not to take up the legality of the invasion. The First Moscow Communiqué of August 27, 1968 contained the following language: “In connection with the discussion in the United Nations Security Council of the so-called question of the situation in Czechoslovakia, the representatives of the Czechoslovak Socialist Republic stated that the Czechoslovak side had not requested the submission of the question for consideration by the Security Council and demanded its removal from the agenda.”<sup>26</sup>

No other member nation since then has called for a discussion of

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<sup>25</sup>See Article 104. While only obligations under “any other international agreements” are mentioned, clearly customary international law must also yield to the Charter.

<sup>26</sup>Moscow News, Aug. 31, 1968.

Czechoslovakia or the Brezhnev Doctrine by the United Nations. Only the U.N. Special Committee on Principles of International Law raised doubts as to the legality of both.

### **The Warsaw Pact**

Soviet commentators have not attempted to base the Brezhnev Doctrine on the Warsaw Pact or any of the bilateral agreements between the USSR and Eastern European nations. Regardless of their contents, however, Article 53 of the U.N. Charter controls all "Regional Arrangements." Paragraph 1 states that "Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations." Since the Brezhnev Doctrine has already been found to violate these principles, it cannot be validated by any other treaty or arrangement.

Even if the Charter contained no prohibitions against the Russian invasion of Czechoslovakia, the very terms of the bilateral agreements and the Warsaw Pact preclude any violation of the sovereignty of socialist nations. Thus, the Agreement of Mutual Assistance signed in December, 1943, and renewed in December, 1963, between the Soviet Union and Czechoslovakia does not even provide a firm juridical basis for the stationing of Soviet troops on the territory of a treaty partner.<sup>27</sup> While the Warsaw Pact does establish United Armed Forces and takes the first steps toward regularizing the status of Soviet troops in Eastern Europe,<sup>28</sup> two provisions forbid the type of intervention contemplated by Brezhnev:

The Contracting Parties undertake, in accordance with the Charter of the United Nations Organization, to refrain in their international relations from the threat or use of force, and to settle their international disputes peacefully and in such manner as will not jeopardize international peace and security. [Article 1]

The Contracting Parties declare that they will act in a spirit of friendship and cooperation with a view to further developing and fostering economic and cultural intercourse with one another, each adhering to the principle of respect for the independence and sovereignty of the others and non-interference in their internal affairs. [Article 8]<sup>29</sup>

Only Article 4 foresees the limited use of force:

<sup>27</sup>See note 9.

<sup>28</sup>"The disposition of the Joint Armed Forces in the territories of the signatory states will be effected by agreement among the states, in accordance with the requirements of their mutual defense." Such an agreement was signed on October 16, 1968 between the Soviet Union and Czechoslovakia and ratified by the Soviet Praesidium and Czechoslovak Assembly on October 18, 1968.

<sup>29</sup>The entire treaty was set out in 21 New Times, May 21, 1955 (Moscow).

In the event of armed attack . . . on one or more of the Parties to the Treaty . . . each of the Parties to the Treaty, in the exercise of its right to individual or collective self-defense in accordance with Article 51 of the Charter of the United Nations Organization, shall immediately, either individually or in agreement with other Parties to the Treaty, come to the assistance of the state or states attacked with all such means as it deems necessary, including armed force.<sup>30</sup>

## Conclusion

No discussion of the Brezhnev Doctrine would be complete without a brief examination of the extent and likelihood of its application. To what countries might it extend? Apparently, Moscow claims "the right to intervene anywhere in a socialist world, including fourteen states from Cuba to Mongolia and embracing several like China, Yugoslavia, and Albania."<sup>31</sup> Gromyko also declared that the Middle East crisis was "in an area directly bordering on our southern frontiers," and "directly [concerned] . . . the security of the Soviet Union."<sup>32</sup> The possibility, thus, arises of an even broader application. An article in *Pravda* cautioned that:

formal, legal considerations cannot be allowed to violate the class approach. Whoever permits this, thereby depriving himself of the only true class criterion, begins to measure events with the yardstick of bourgeois law. This kind of approach to the question of sovereignty implies, for example, that the world's progressive forces could not protest against the emergence of neo-Nazism in the Federal German Republic, against the butcherly Franco and Salazar, against the reactionary deeds of the "black colonels" in Greece, because these are "internal affairs" of "sovereign states."<sup>33</sup>

Will the Doctrine be applied? In the year and a half since it was first propounded, it remains an unrealized threat repeatedly employed by the Soviet Union and as often assailed by Western diplomats and officials of the communist parties of Eastern and Western Europe. Nevertheless, such a time interval may have little meaning; twelve years separated Hungary and Czechoslovakia.

"Limited sovereignty" is only a "legal" justification for action, not a reason. Thus, whether the Brezhnev Doctrine will be used depends upon such extra-legal factors as geographic proximity, the availability of other methods, the importance of the Soviet interest involved, the current state of Sino-Soviet relations, and perhaps, the forcefulness with which the rest of the world expresses its disapproval of, and manifests its determination to resist, any intervention.

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<sup>30</sup>*Id.*

<sup>31</sup>Sulzberger, *Foreign Affairs: To Have and Have Not*, N.Y. Times, Dec. 4, 1968.

<sup>32</sup>*Izvestia*, Sept 5, 1968.

<sup>33</sup>*Pravda*, Sept. 26, 1968.