

Chapter 38

Neutrality and International Order*

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I am glad to be back in Newport, one of my favorite places, which I often visit as a guest of my good friend Senator Claiborne Pell and his wife Nuala. It is a particular honor and pleasure to be invited to speak at the Naval War College, which every two years gives a Swedish naval officer the benefit of a year's education.

My subject this evening is "neutrality and international order." By way of introduction, let me recall the story attributed to a famous British statesman, intimately familiar with warfare and in particular with the naval aspects of it. Once he rose to thank his hosts for a dinner and shocked the guests by saying that he had anticipated that honor and had prepared two speeches. Depending on the quality of the table, he would make use of one or the other. He said he had been treated well and therefore had decided to deliver them both. The brief speech went as follows: "Thank you!" And the longer one: "Thank you very much!"

I will do the same and deal with two slightly different but interrelated subjects: neutrality, and the policy of neutrality. I will naturally do so from a Swedish perspective, but in order to highlight that perspective I will briefly refer to the neutrality of other countries.

There are few neutral countries in the world, and their history, policies and problems are overshadowed by the flow of information from the great powers and their allies. I therefore believe that an introduction to neutrality is warranted.

A common denominator for the different forms of neutrality is that its meaning, in terms of international law and in military terms, is revealed only in time of war between foreign powers. That is the time when the rules of international law pertaining to neutrality enter into force, both for the neutral States and for the belligerents. Those rules, which are binding on both categories of States, are found in the fifth and the thirteenth Hague convention of 1907. These conventions deal with the Rights and Duties of Neutral Powers and Persons in War on Land, and the Rights and Duties of Neutral Powers in Naval War. (No such rules have been developed pertaining to the situation in the air.)

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Neutrality does not cease to exist if it is violated either by the neutral State not fulfilling all its obligations or by actions perpetrated against it by a belligerent State. In accordance with international law, a neutral State using armed resistance to stave off an intruder is not regarded as having committed a hostile act. At the same time, the neutral State is bound by the same rules to prevent its territory from being used for acts of war or as bases for such acts. A belligerent State is obliged to respect neutral territory and not to engage in acts of war there. And the neutral State is obliged to be impartial, that is, it may not engage in the war or support any of the belligerent States. Thus, neutrality must be applied equally toward the belligerents. At the same time, we should note that a neutral State is always free to offer mediation.

The rules laid down in the Hague conventions are based on long experience of what actions should not be tolerated by belligerent States, and what may lead them to regard a neutral State as a legitimate target for countermeasures, maybe even war. This applies, for example, to the obligation of the neutral State to refuse transit of troops, the duty to intern belligerent troops entering the neutral country and, if bans are imposed on exports of military equipment, the nondiscriminatory application of such bans to all belligerents. However, these rules say nothing about the general, nonmilitary trade, even if neutral States themselves often apply a principle of "normal trade."

When Sweden considered applying for membership in the United Nations in 1947 there was a dilemma, because adherence to the Charter of the UN is theoretically incompatible with neutrality if the Security Council decides to impose sanctions on a particular country. (There has so far been only one case of this kind: the resolution to impose sanctions against then Southern Rhodesia, a resolution that Sweden strictly implemented.) However, this limited waiving of neutrality is of little practical importance, because we are guaranteed *not* to be drawn into a military conflict that would encompass either one of the great powers or any of their allies. This is so because the great powers, that is, the five permanent members of the Security Council, must be in agreement before the Security Council can make a decision to apply military or other sanctions. They have a veto power, and therefore we run no risk of being ordered by the Council to declare war on either of them. As stated clearly in Parliament by the then foreign minister, it was for this reason that Sweden felt free to seek membership in the United Nations.

The international doctrine on neutrality has come to the conclusion that a neutral State must use its military resources to safeguard its neutrality. Of equal importance is the fact that there is no rule in international law stipulating that a neutral State should possess a military capacity to stave off *all* incursions. International law does not require a neutral State to be an impregnable fortress. There is no obligation for a neutral State to be at the peak of the spiral that technically drives the development of sophisticated armaments.

There are variants of neutrality by which a State, in peacetime, can be bound by arrangements in accordance with international law. In these instances the term *permanent neutrality* is often used. States which are permanently neutral in accordance with treaties have certain rights and obligations. They have to follow rules laid down in the treaties when conducting their security and foreign policy. Sometimes such treaty arrangements are paired with some kind of guarantees, by which the integrity of the neutral State is guaranteed by guarantor States. In return, the neutral State is obliged not to open hostilities against any State and not to enter into international agreements which could indirectly lead to such hostilities. The permanently neutral State of course has the right and obligation to defend its territory and its neutrality.

Austria has declared a self-chosen neutrality, and has applied some self-imposed restrictions to both its national and foreign policy. These restrictions are mentioned in the international documents by which Austria's sovereignty was restored in 1955.

Allow me in this context also to refer to the strict and permanent neutrality of Switzerland. Swiss neutrality is part of the constitutional system of that country. It is internationally recognized and was collectively guaranteed at the Vienna Congress in 1815 and in the Versailles peace treaty of 1919.

The picture would be incomplete if I did not mention Finland. The 1948 Treaty of Friendship, Cooperation and Mutual Assistance between Finland and the Soviet Union is the foundation of Finland's policy of neutrality. This treaty notes "Finland's desire to remain outside the conflicting interests of the Great Powers."

International treaty and guarantee arrangements give the States party to them the right to expect that a certain policy will be adhered to by the neutral State. If these obligations are violated, it is possible to imagine signals of displeasure from the guarantor States most directly concerned. I hasten to add, however, that the more time that has elapsed since the treaty arrangement, the less the real possibility for the guarantor States to intervene directly in the affairs of the neutral State.

In the case of Sweden, my country becomes, *stricto sensu*, neutral when there is war between powers in our vicinity. In peacetime, Sweden has no neutrality obligations. Sweden's neutrality is not laid down in its constitution or otherwise proclaimed as a permanent State doctrine. Our neutrality in the case of war is neither confirmed nor guaranteed by any international agreement. It is instead a policy that the Swedish government and Parliament have chosen to pursue, a policy which it could, should it so wish, amend at any given moment.

Sweden has rejected the idea of incorporating its neutrality in any international agreement. In our view, guarantees furnished by the great powers would create some measure of dependence on these States. They might claim the right to keep an eye on Sweden's foreign policy and to raise objections should they consider

that it conflicts with the terms of the international guarantees. In other words, the Swedish approach is not to give foreign powers any *droit de regard* toward Swedish affairs.

In peacetime, Sweden is therefore guided by what is appropriate in order to safeguard our neutrality in time of war. Because of this aim, our security policy must be conducted with precision, firmness and consistency. That is, however, different from legally binding obligations.

I now turn to the *policy* of neutrality, its scope, implications and opportunities.

Sweden's policy of neutrality can trace its roots to 1814, the year Sweden was last engaged in acts of war. Jean Baptiste Bernadotte, a former marshal in Napoleon's army, realized when he was King Karl XIV Johan of Sweden that the Napoleonic wars created a quagmire in which there were only losers. In order for his kingdom to prosper, he therefore moved to stay out of the vicissitudes of alliance-building on the European continent. What he started has little by little evolved into Sweden's policy of neutrality. That endeavor has obviously been highly successful, since we find ourselves in the unique position of not having been at war for the last 175 years.

Adhering to the policy of neutrality, Sweden has been saved from involvement in two world wars. Obviously it was not neutrality alone that saved us, but also strategic and political circumstances beyond our control. Certainly one component was luck. No one can deny, however, that a deliberate policy of neutrality was one factor enabling Sweden to avoid participation in these two major conflicts.

The evolution of the Swedish policy of neutrality over a long period of time has won the support of the Swedish people. The policy's credibility has been based on its consistency, a national consensus on its aims, broad political majorities supporting the means by which to achieve those aims, and a strong national defense. It is an exaggeration to say that Swedes regard the policy of neutrality as a flak jacket, but the vast majority would probably agree to liken it to a safety belt. Our policy of neutrality is deeply rooted in the minds of all citizens, and indeed, whoever electioneered from a political platform proposing a change of this basic policy would certainly lose in the elections.

As an interesting example of where another nation went, I would like to briefly sketch the path of the neutralistic tendencies in the United States. This nation was equally fed up with the European quarrels of the Napoleonic era. As a result, the United States turned its back on that continent in order to expand within its own borders and within the Western hemisphere (in accordance with the Monroe Doctrine).

A century later, at the outbreak of World War I in 1914, President Wilson proclaimed a policy of strict neutrality. In 1917 neutrality was abandoned, the main reason probably being the German strategy of unrestricted submarine warfare.

When World War I ended, Congress again shunned away from involvement in European affairs and rejected the fourteen points suggested by President Wilson. This restrictive attitude in U.S. foreign policy, exemplified by the rejection of the League of Nations in 1920, continued through the period between the wars. The definitive breaking point for the policy of neutrality of the United States can be set at the Lend Lease Agreement with Great Britain on March 11, 1941, when Congress accepted the proposal of President Roosevelt to come to the aid of the United Kingdom and other threatened democracies.

From then on, it is proper to regard the United States' policy toward the rest of the world as one of the two superpowers, where involvement in the affairs of various regions has indeed been significant. However, it is interesting to note what happened when the United States actively engaged itself in the preservation of the freedom of navigation in the Persian Gulf. It was stated that the U.S. Navy would protect American shipping in the gulf—later including reflagged former Kuwaiti tankers—while at the same time the United States would be neutral toward the belligerents involved in that war.

At this juncture I would like to emphasize the difference between the evolution of the United States' and Swedish security policies respectively. While the United States' interest in staying away from European affairs contained a tint of isolationism, the Swedish policy of neutrality is paired with a deep commitment to full participation in the affairs of the world community. The basic aim of Sweden's policy of neutrality is to make credible our intention to be neutral in times of war, so that belligerents respect that neutrality and Sweden can be spared the scourge of war. It is not an effort to climb to high moral ground, but a means by which Sweden endeavors to safeguard its independence and national security. This policy of neutrality has three main components: nonparticipation in alliances; a strong defense; and a foreign policy that makes credible our intentions in case of war.

Nonparticipation in alliances is, of course, a *sine qua non* for the credibility abroad that Sweden will be neutral in the case of war. Sweden's security policy is a well-established fact in the Nordic region: Iceland, Norway and Denmark are members of NATO; and Sweden and Finland, each in its own way, conduct a policy of neutrality. The Nordic States interact on the basis of a common history and cultural, social, linguistic and religious affinities. Despite the different orientations in their security policies, each has contributed to the relative calm in the Nordic subregion of Europe, and each bears a responsibility for that stability to continue. It is in this context that one can see the importance of Sweden continuing its policy of neutrality, because were it to be abandoned, it would in a stroke change the political map of Europe.

Recent developments in the European Community (EC) have influenced the debate on future Swedish options. Parliament has stressed that Sweden should work for a Western European common market encompassing all countries in

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the EC and the European Free Trade Association; that we should seek far-reaching, close and lasting relations with the EC; and that we should associate ourselves to the extent possible with the EC's work to develop a truly internal market. At the same time Parliament decided that Sweden should not consider membership in the Community, because the cooperation and coordination of foreign policy inside the Community is tantamount to that performed within an alliance.

Nonparticipation in alliances is so fundamental that the correct definition has been set in concrete in the following phrase: "nonparticipation in alliances in peacetime aiming at staying neutral in the event of war." It follows, therefore, that no commitment must be made in peacetime that prevents us from fulfilling the obligations of a neutral power when there is war between other States.

The strongest proof of our will to be neutral in the event of war is our refusal to join alliances in combination with a determination to make considerable sacrifices to maintain a strong defense. Sweden has based its defense on the theory of marginal defense, i.e., Sweden will mobilize sufficient strength to match whatever surplus resources an aggressor may be able to spare for use against it in the context of a general war in Europe.

Soviet military developments in the vicinity of Sweden are characterized by an increase in the operational ranges of tactical aircraft, the deployment of cruise missiles, an increase in strategic and operational mobility, and the development of new underwater technology (as evidenced by submarine intrusions). These have all influenced Swedish threat perceptions. The possibility for surprise attack, the shortening of military warning times, and the existence of special sabotage groups are relatively new phenomena and have been given added attention in Swedish defense planning.

As noted earlier, international law does not require a neutral State to be an impregnable fortress. It does, however, require the neutral State in time of war to use the military resources at its disposal to uphold its neutrality. Sweden's military capacity, with a mobilized total defense, has been and remains significant. The air force enjoys the reputation of being one of the strongest in Europe. Fully mobilized, the armed forces number more than 800,000, not including 300,000 persons engaged in civil defense. That together with the determination of the Swedish people to defend themselves, even if the outcome is in doubt, adds to the effect of the military hardware available. Furthermore, Sweden maintains an indigenous production capacity for most of its weapons in order to be independent in this field. In addition to airplanes, Sweden produces armored vehicles, missiles, submarines, and artillery.

The changing threat perceptions have increased demands on Swedish defense efforts. Broad political majorities support the steps taken during the 1980s. The Swedish antisubmarine warfare capacity has been enhanced and, on the operational level, instructions have been altered to make possible the use of force

without prior warning against underwater vessels intruding in Swedish internal waters.

Despite economic constraints, it was decided in 1982 to develop a new generation of aircraft in order to ensure continued strength. The JAS/Gripen aircraft will use more indigenous than imported technology. Together with enhanced radar and base structures, the JAS system will improve our ability to counter aircraft and cruise missiles that might violate Swedish airspace. The system will thus serve as a platform for omnidirectional defense in the air and increase the capacity of the Swedish defense forces to deny Swedish territory to any side in the event of war.

The diversification of the threats has led to a series of other measures that will enhance our ability to deal with incidents in the grey zone between peace and war. New focus is being given to the need to protect the nation against surprise attacks. Particular attention has been devoted to counter-industrial espionage and international terrorism, and to the protection of communications and the whole civilian infrastructure of the state.

The underlying sentiment of these measures is clear. There is consensus in Sweden that the country is worth defending and that it is defensible by means at its own disposal. General conscription has created a sense not only of duty, but of privilege to prepare for the defense of the country. Defense spending is currently growing at a rate of 1.7 percent annually in real terms and is calculated to amount to 2.7 percent of the GNP. Under these circumstances, I know what the reaction would be on the part of the average Swedish taxpayer, or the conscript soldier in basic or refresher training, if someone told him that there are those who say that Sweden tries to have a free ride for its security. He would be disgusted.

So much for our *ability* to be neutral in time of war. Now to the foreign policy component of the policy of neutrality: our *will* to be neutral. If we have no military ability, the will is immaterial. On the other hand, if the capacity is available but there are doubts about our will, the situation would be equally bad, because then our intentions could be questioned. This is why we argue that our foreign policy is our first line of defense.

Sweden, with a large territory but only 8.6 million people, is a democratic country in northern Europe with strong economic ties to the Western world. Sweden is situated in the immediate vicinity of one of the superpowers. So placed, Sweden had better avoid either coming under the influence of the nearby superpower or becoming the threatening outpost of the other. Our own interest is best served by basing our policy on a rational assessment of reality as we see it. After all, it is we who decide on a day to day basis the content of our policy, and the geographic realities are permanent.

In peacetime we must pursue a policy that inspires and sustains the confidence of the rest of the world in our determination and our ability to be neutral in

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wartime. This is no easy task in an era of increasing global interdependence in virtually all fields. Of prime importance in this regard is the confidence of the superpowers. If they believe that we are not really serious about our neutrality, or that only a little pressure is needed to get us to throw in our lot with either of them, then neutrality is worthless as an element of our security policy. That is why the Swedish government must remove groundless fears and hopes about our policy. And that is why Sweden must stand firm, even under strong external pressure.

I would like to take this opportunity to stress what the Swedish policy of neutrality is *not*. It is not aimed at neutrality *until* the time of war. It is not neutrality in ideological terms. Sweden is a Western, democratic country, and a member of the cultural community that traces its roots to the Judeo-Christian value system as developed under the influence of Greek philosophy. Therefore, Sweden has the right to express solidarity with this cultural community, to criticize phenomena that are contrary to our democratic principles and contrary to the basic human rights. In particular, Sweden demands respect for international law and the interests of small countries, so that the law of the jungle will not be the norm. This is particularly important in the case of those nations situated in the vicinity of one or the other of the great powers.

It also gives us the right to actively engage in developing cooperation with nations in the Third World. We believe that such cooperation in the long run will foster stability in a volatile and increasingly important part of the world, thereby contributing to the enhancement of our own security. It is an enlightened self-interest.

And it gives us the right to actively engage in the endeavors to abolish the nuclear threat to this planet. We do so in the knowledge that the nuclear threat is not one that exclusively hangs over those who possess those weapons, but over life on this planet in its entirety.

Countries neutral by treaty, permanently neutral, or, like Sweden, conducting a policy of neutrality aimed at being neutral in war, have in common their desire to avoid being drawn into war. In today's world these countries come in handy for the world community. They are trusted, and they shoulder international responsibilities that contribute to the building of peace and understanding, sometimes at great cost. They do so, of course, in accordance with their respective history and traditions, geographical locations, and individual political aims and aspirations, but in the common aim to benefit themselves from the lower tension that at least in part results from their contributions.

Permit me to mention a few examples:

- Switzerland, conveniently situated at the crossroads of Europe, has over the years played host to numerous international endeavors to solve disputes by peaceful means. The League of Nations, and later the United Nations and the International Red Cross (a genuinely Swiss organization), had or have impressive

facilities in Geneva. The superpowers have used Switzerland as one of the main venues for serious deliberations, be they in their respective embassies and missions or during walks in the woods in the surrounding mountains. France and Algeria (just about to be born) met on the Swiss shores of Lake Geneva; and when the central banks meet on the highest level, they assemble in Basel.

- Who today is not familiar with the increasing role Austria and its capital Vienna are playing in international affairs? The UN's center for humanitarian affairs is based there; OPEC found neutral ground for their deliberations there; and the Conference on Security and Cooperation in Europe seems to have found a semipermanent home in the former capital of the Habsburg Empire. Here is where East and West meet in Europe today; here is where the Mutual and Balanced Force Reduction talks started, failed and were buried; and here is the port of entry for those in distress who are permitted to leave the Soviet Union.

- When President Reagan wanted to reinvigorate himself for the challenges of the summit in Moscow, he stopped over in Helsinki in Finland. When the United Nations are in need of reliable, neutral and well-trained troops, the Secretary General rarely fails to call on the Finnish government to send a contingent. And when the time was ripe for Europe to leave the era of World War II behind in concerted effort to increase the security of all, it started in the Finlandia Hall in Helsinki. Who that is suffering from ill treatment, from torture or harassment, or from the despair of not being master of his own fate, does not see the word *Helsinki* as a beacon (as in the Helsinki accord or the Helsinki process)?

- In December 1988, 55,000 Swedes felt that they had received the Nobel Peace Prize when it was awarded to the United Nations peacekeeping forces. Swedish troops have participated in almost all of them since the first United Nations Emergency Forces in Sinai in 1956. When the superpowers want to receive data on nuclear experiments from independent, reliable and technically sophisticated sources, they have the Hagfors laboratory in Sweden at their disposal. And they use it.

- With no stake of their own, except the desire to create peaceful conditions worldwide as a contribution to their own security, Swedes have often been used to mediate, sometimes sacrificing their lives. I think of Dag Hammarskjöld, the Secretary General of the United Nations (whom I had the honor to serve), and Raoul Wallenberg, who saved ten of thousands of lives in Budapest during the last months of World War II. I recall Folke Bernadotte, who shipped people out of the concentration camps in Germany in 1945, and who later fell from an assassin's bullet in Jerusalem while serving the United Nations. And I remember Olof Palme, who mediated on behalf of the Secretary General of the United Nations in the conflict between Iran and Iraq. There are many others.

It has sometimes been said that neutrality is immoral because if you are not one of us, you are my enemy. I believe that is wrong on two grounds:

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First, I do not believe that the world's future is best served by seeing enemies around every corner. The need for cooperation in a world increasingly interdependent makes me believe, instead, that he who is not my enemy is my friend.

Second, the role played by neutral States during times of crisis, war, and peace has contributed in a positive way to the stability of the world.

What Sweden seeks to promote is respect for human rights and for international law; nuclear disarmament; democracy (as the slowest but best way of government); and stability and peace as a foundation for building a society for our children that is better than the one we inherited from our parents.

Count Wachtmeister was the Swedish Ambassador to the United States from 1974 to 1989. This article is adapted from a lecture delivered by Count Wachtmeister at the Naval War College on 21 March 1989 as part of the College's International Lecture Series. This series is sponsored by the Naval War College Foundation.