

NATALIA JACKOWSKA
Poznań

THE BORDER CONTROVERSY BETWEEN THE POLISH PEOPLE'S REPUBLIC AND THE GERMAN DEMOCRATIC REPUBLIC IN THE POMERANIAN BAY

The collapse of the communist system and the abolition of the divisions it had imposed in Europe as symbolized by the Berlin Wall has directed the attention of historians and analysts of international relations towards studies into the reality of life within the system of all-embracing control and planning, as well as into the processes, which contrary to the system's mechanics have led to an eruption of democratic and liberating tendencies in Europe by the end of the 20th century. The archives, which are being opened without much haste, allow for an increasingly more comprehensive analysis of the political determinants and everyday life under the rule of the regime. The processes of democratization and transformation in the countries which were formerly under the rule of the Kremlin are being analyzed through the prism of their national idiosyncrasy and their position in the socialist block. The unprecedented case of the border conflict between the two countries belonging to the socialist block that is the dispute between the Polish People's Republic and the German Democratic Republic concerning the Pomeranian Bay still remains little known. Recently the controversy was recounted by Tomasz Ślepowroński¹, whose publications offer a reconstruction of the genesis and the course of the dispute, as well as the reactions towards the conflict on the part of the authorities and the local communities of Western Pomerania. The author points out that even at the time of its escalation (1985-1989), the dispute was treated as a local irritation, whereas in reality it had all the characteristics of an international scale border conflict. The attitude of the regional authorities, interpellations of the MPs from the region submitted to the parliament, and even the efforts made by the church authorities in the Szczecin area all aimed at having the importance of the problem recognized and making the central authorities try to solve the problem.

¹ See: T. Ślepowroński, *NRD kontra PRL [GDR couter Poland]*, in: „Biuletyn Instytutu Pamięci Narodowej” No. 9-10/2005, p. 90-99, and *Konflikt w Zatoce Pomorskiej (1985-1989)[Conflict in the Pomeranian Bay (1985-1989)]*, in: B. Kerski, A. Kotula, K. Wóycicki, *Przyjaźń nakazana? Stosunki między NRD i Polską w latach 1949-1990*, Szczecin 2003, p. 87-94.

Information about the Polish-East German dispute is dispersed in articles published mostly in journals and these focus most frequently on the analysis of the legal standing of the treaty, as well as on the reconstruction of the course of the dispute in the years 1985-1989. However, viewing the dispute against a wider backdrop of the Polish-East German relations in the 1980s appears equally interesting. It seems that by taking into account the political and ideological realities in the socialist block, as well as the relations between the block countries, especially the GDR, the USSR and Poland with the Federal Republic of Germany, it is possible to evaluate the conflict in the Pomeranian Bay and to formulate hypotheses concerning the cause of its escalation and the unexpected rapid conclusion of the conflict. This is precisely the aim of the present article. Nevertheless, it should be noted that the Pomeranian incident can be analyzed in other ways, for example from the perspective of the economic potential in the Baltic Sea area in the 1980s which would account for the trade and transit route to the Soviet Union, including among others the investment in the East German port of Mukran.

THE GENESIS AND THE OBJECT OF THE DISPUTE

The Genesis of the controversy goes back to the decisions of the Potsdam Conference by which Poland received the complex of ports in Szczecin and Świnoujście without the demarcation of the territorial waters in the Pomeranian Bay. The borderline was generally drawn along the Oder and Lusatian Neisse rivers forming the land border "east of the line from the Baltic Sea and directly west of Świnoujście and then along the river Oder" but there was no mention of the Pomeranian Bay². Also in September 1945 the mixed Polish-Soviet commission for the delimitation of the border did not regard itself competent enough to precisely divide the sea waters. The wording, "directly west of Świnoujście" did not leave room for any manoeuvring in the conditions of the local layout of the land. The first post-war president of Szczecin, Piotr Zaremba when describing the work of the delimitation commission mentioned considering the possibility of dividing the small town of Ahlbeck, which was finally rejected for the sake of drawing the borderline along the western border of the town of Świnoujście. The commission was aware of the consequences that the delimitation of the land borderline would have for its sea section.

² *The Agreement made by the heads of governments of the United States of America, United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics concerning the western Polish border*, Potsdam, 2 August 1945, quoted after: K. Skubiszewski, *Zachodnia granica polski w świetle traktatów*, Poznań 1975, p. 330. The same formulation describing the borderline in the Pomeranian Bay was repeated in the Zgorzelec Treaty between Poland and East Germany from 6 July 1950, and in the treaty between Poland and West Germany concerning the normalization of their mutual relations signed on 7 December 1970.

"When formulating the border act the question of the demarcation line in the sea waters was raised since the territorial waters were stretching [at the time – added by N.J.] over the conventional distance of 3 nautical miles. This could cause ambiguity when considering the concave shoreline of the Pomeranian Bay between the Świna strait and the contact point between the land border and the sea. Our aim was to have the entire roadstead of the Świnoujście port within Poland's territorial waters. However, the problem was not decided by the commission which did not regard itself competent enough to demarcate the sea section of the border"³.

The unconcern of the central authorities with the matter was nothing new. Since the end of the war Szczecin was left to its own devices not only with respect to setting up its administration or ensuring the basic conditions for the functioning of the city after the war activities had ceased but also in term of securing the border and the functioning of the sea ports. As it is recalled by Piotr Zaremba the Ministry of Maritime Navigation did not show any interest in the fate of the sea ports of Szczecin and Świnoujście throughout the whole of 1945.

The resolutions of the Potsdam Conference in this matter were repeated in the Zgorzelec Treaty between Poland and East Germany signed on 6 July 1950; some changes were introduced by the Frankfurt Act of 27 January 1951 including the adjustments of the mixed commission. It was precisely this document which introduced a slight readjustment to the advantage of Poland with respect to the access route to the port of Świnoujście. The Frankfurt Act was of importance to Polish interests because it, in fact expressed the recognition of both sides of the agreement concerning the special circumstances present in the Pomeranian Bay which allowed to be exempt from the conventional principles of maritime border delimitation, namely the median-line principle. At the same time however, the weakness of the document was in the incomprehensible end point of the maritime border, the so called point A/13 (54°01'42" latitude N and 14°15'16" longitude E), whose location (6 nautical miles from the seashore that is according to the then accepted rules 3 miles outside of the territorial waters in open sea) was unfavourable for Polish economic interest and the reason of the state. The borderline east of the axis of the access route to the ports of Szczecin/Świnoujście left a part of the access route and one of the anchorages out of Polish territorial waters. This atypical location of the point A/13 was according to the available sources a result of the alterations of the land borderline; since the water intakes by the lake Wolgast were incorporated into Poland, the German side received compensation of their surface in the area stretching from the water intakes and the shoreline of the Pomeranian Bay. This exchange resulted in a deviation of the land frontier of which the marine border was an extension⁴.

This erroneous statement in the Frankfurt Act became one of the fundamental arguments of the East German side in the later stages of the dispute. In the following years the Polish side did not make use of other occasions to secure the borderline

³ P. Zaremba, *Walka o polski Szczecin [The Battle for a Polish Szczecin]*, Wrocław 1986, p. 339.

⁴ K. Podgórski, *Drang nach Szczecin*, „Zeszyty Historyczne” Issue 88, Paris 1989, p. 40-41.

according to its own interest. Quite on the contrary, in the agreement on the division of the continental shelf from 1968 it allowed for a statement about the division according to the median-line principle, that is to say it willingly sanctioned having the anchorage and part of the access route located on German waters⁵. The attempt to unilaterally regulate the disputable question was made on 17 December 1977 by three regulations passed by the Polish parliament concerning the boundaries and sea fishing zones⁶. Yet, the regulation expanding the territorial sea boundaries to 12 nautical miles left a loophole by leaving the regulation of the sideline maritime border until later bilateral agreements. In fact there was no change concerning the disputable issue whereas five years later a similar regulation concerning the East German state borderline⁷ and its executive act⁸ determined (also unilaterally) the borderline in the Pomeranian Bay.

At this point it needs to be brought to attention that the East German side became involved in such activity concerning the issue of dividing its territorial waters only with reference to Poland; it takes only a glance at the map to realize that a much more complex situation concerned the borderline with West Germany and Denmark where natural conditions do not allow for the full use of the 12 mile zone by each country. Travemünde located on the border together with the access to the port of Lübeck and the Danish port of Gedser have a much more difficult access to the open sea. Yet, East Germany did not take any action which would threaten the freedom of sea navigation either towards West Germany or Denmark, and it demarcated the borderline of its territorial sea closer than 12 nautical miles.

As it is argued by Janusz Gilas, a delimitation effected by a unilateral act should be based on the median-line principle⁹. Since however, in the case of the Polish-East German border the Frankfurt Act had already introduced special regulations, the issue should become subject to bilateral negotiations. This however, was not the case and the East German legal acts determined the borderline with the use of the point A/13, which was unfavourable for Poland, and which in practice provided a threat that from the day of the regulation becoming effective, on 1 January 1985 the ports

⁵ *Agreement between the Polish People's Republic and the German Democratic Republic concerning the delimitation of the continental shelf on the Baltic Sea, drafted in Berlin on 29 October 1968*, Dziennik Ustaw [Journal of Legal Acts] 1969 No. 15, item 106.

⁶ *Act from 17 December 1977 concerning the territorial sea of the Polish People's Republic*, Dziennik Ustaw 1977 No. 37 item 162, *Act from 17 December 1977 concerning the Polish sea fishery zone*, Dziennik Ustaw 1977 No. 37 item 163 and *Act from 17 December 1977 concerning the continental shelf of the Polish People's Republic*, Dziennik Ustaw 1977 No. 37 item 164.

⁷ *Gesetz über die Staatsgrenze der Deutschen Demokratischen Republik*, 25 March 1982, "Gesetzblatt der Deutschen Demokratischen Republik" 1982 Teil II, p. 197.

⁸ The so called 2. *Durchführungsverordnung (2. Grenzverordnung)*, 20 December 1984, "Gesetzblatt der Deutschen Demokratischen Republik" 1984 Teil I, p. 441.

⁹ J. Gilas, *Prawne problemy delimitacji wód terytorialnych w Zatoce Pomorskiej [Legal problems with the delimitation of territorial waters in the Pomeranian Bay]*, "Przegląd Zachodni" No. 1/1990, p. 55-56.

of Szczecin and Świnoujście would be deprived of access to the open sea. The access route would be then on East Germany's territory and sea navigation along other not deepened routes in the Pomeranian Bay would be impossible for larger vessels.

PRECEDENCE OR PREMEDITATED ACTION?

There is no doubt as to the seriousness of the controversy in the Pomeranian Bay and its significance for economic security, access to the sea ports and to the Oder region, and for the ease of Poland's maritime economy. The water access route to Świnoujście continuously deepened and maintained at a large cost and the anchorages provided all the circumstances of special conditions which justified the delimitation of the borderline in a manner divergent from the conventionally accepted principles of international law. Poland could have used these circumstances as an argument although their importance exceeded its exclusive economic interest. The anchorages located west of the borderline demarcated by East Germany were used for unloading by 75,000 - 100,000-tonnage ships which ferried to other ports, and the area was entered in the international records concerning sea navigation. Only the use of the Pomeranian Bay for fisheries constituted an exclusively Polish interest¹⁰, whereas the remaining factors decided about the supranational character of the interests which intersected in the disputable area; the sea ports of Szczecin and Świnoujście as the only ones in the Pomeranian Bay are of decisive importance for the transit not only from the Oder basin but also from the countries which share the Danube river basin.

However, it is worth to look at the border controversy between the GDR and Poland from a wider perspective of the international relations between both countries.

When in the late 1940s the division of Germany was becoming a permanent feature of European order, in the eastern occupation zone, which was initially treated by the Soviet Union as a war trophy, international elements became to be emphasized while in Poland the differences between the revanchist West Germany and East Germany involved in the creation of people's democracy were underlined. When in 1949 two German states were established in the occupation zones Poland treated this fact as a practical guarantee for the borderline drawn by the Potsdam Conference. After all, East Germany constituted a natural buffer separating Poland from the West and their joint membership in the pact subordinate to the Kremlin allowed to rule out the possibility of even a hypothetical alteration of the border without the consent of the eastern power. The rhetoric of the allied unity of political objectives and declarations of friendship and fraternity between communities became an index of official relations in which the political line of state authorities was convergent with the ideology of the ruling political parties: The Polish United Workers' Party (PZPR) and the Socialist Unity Party of Germany (SED). After the Zgorzelec Treaty

¹⁰ Cf. *ibidem*, p. 57-58.

the fact that the East German state respected the border on the Oder and Lusatian Neisse rivers was a fundamental source of Polish support for the establishment of GDR. However, a few years later the events of October 1956 and the relative, as for the Warsaw Pact countries, political independence of Poland under the rule of Władysław Gomułka started to raise distrust on the part of East Germany. In 1957 the Polish Embassy in Berlin reported that, "There is a conviction that Poland underestimates the danger of the West German policy and that Poland is more interested in having closer relations with West Germany than in deeper cooperation with the GDR. There are also suspicions that Poland by having received American loans must have agreed to some undisclosed political terms"¹¹. The change in the bilateral relations was characterized by the complexes on both sides of the state-entrants in the internationalist fraternity. Poland started to notice in its western neighbour a critical observer and commentator of its actions (both in the international arena and at home) while East Germany started to suspect that Poland is treating its existence as temporary.

Amplifying such emotions and their impact on the relations between the countries was a part of a broader process bothering the states of real socialism which, contrary to the voiced declarations of cooperation and fraternity, plunged into the void caused by the lack of freedom of thought and being enclosed in the realm of ideals frequently dead and gone and irrelevant for the existing conditions of development in political and international relations. In the case of East Germany the faithfulness to the ideology it had adopted allowed for a denial of the legacy of National Socialism and the responsibility for the war, and created an image of a star country of the entire eastern bloc. The unquestionable successes in this respect were used in the early 1970s when the end of the Walter Ulbricht era and the takeover of power by Erich Honecker coincided with the time of enforcing the theory about the existence of two German nations. In view of the threat of a crisis the need to strengthen the East German legal validity was expressed in a thesis about the emergence in the GDR of "a socialist nation" whose "socialist national consciousness" allows to develop "ideological identity which, unlike for other Warsaw Pact member countries, was its destiny because of the lack of the deeply rooted national identity"¹². The role of the GDR in the Warsaw Pact was for the SED leadership and its ideologists, who after all were legitimized to take action and make declarations on behalf of the state and its society, was one of the available means to show their achievements in the competition with West Germany, to demonstrate its growing part in the relations between East and West, and to strengthen the effectiveness of the "ideological identity", which was in fact a prosthesis of statehood.

¹¹ Quoted after: M. Tomala, *Bilans oficjalnych stosunków pomiędzy NRD i Polską [Balance of official relations between GDR and Poland]*, in: B. Kerski, A. Kotula, K. Wóycicki, op. cit., p. 75.

¹² H. A. Winkler, *Długa droga na Zachód. Dzieje Niemiec [Long road West. History of Germany]*, vol. II 1933-1990, Wrocław 2007, p. 324-325, 421.

However, shaping this image and the position of East Germany in European politics was not only the priority for the East Germans themselves. When together with the strengthening of the position of West Germany in the integrative structures of the European Economic Community and the defence treaty of the North Atlantic Pact it became clear that the unification of Germany, especially according to the East German conception was being postponed, the efforts of its eastern allies were redirected to "support and empower the GDR". East Germany was to function as a symbolic display window for the achievements of real socialism, and in political terms it was supposed to hamper the unification tendencies which appeared in West Germany. The words uttered by Leonid Brezhnev, "We have to be friends with the GDR where 17 to 18 million German people are for socialism. It is our great post-war achievement", marked the direction for the government led by Edward Gierek after the era of tension and distrust between Władysław Gomułka and Walter Ulbricht¹³ was closed. The special interest of Poland as its closest neighbour meant that the role of East Germany as a guarantor of the borderline established in Potsdam was emphasized throughout the entire period of its existence. The strategy of the normalization of the relations between Poland and West Germany was dependant on the regulations of relations between both German states. Indications of international recognition of the separate GDR statehood were consonant with the SED ideology that was developed around this slogan.

The distrust exhibited by East Germany towards Poland in the 1980s was not only a reaction to the establishment of "Solidarność" and postulates it articulated. It should be rather regarded as a climax of the process which had been developing since the late 1950s. Paradoxically it may seem Poland itself had the least influence on the climate in the relations between East Germany and Poland. The diplomatic controversy around the borderline in the Pomeranian Bay, which assumed nearly the form of an open conflict, appeared to be a perfectly used occasion to again manifest the strengthening of East Germany's position as a member of the eastern block and its significance as a state of the "socialist nation". These efforts were also related to the nature of German-German relations and the policy of détente conducted by Helmut Schmidt, which was based on the recognition of the post-war *status quo* in Europe. The opinion expressed by the social-democratic journalist, Günter Gaus that Western Europe to survive needs a stable Eastern Europe seemed as difficult to agree with the reality as predictions forecasting an evolutionary transformation in Eastern Europe¹⁴. The fear of an uncontrolled course of events in the heart of the divided continent meant that despite the change of the ruling coalition in Bonn and the takeover of power by the CDU/CSU under chancellor Helmut Kohl, the reconciliatory gestures towards East Germany were continued. The loans worth bil-

¹³ See: B. Koszel, *Między dogmatyzmem a pragmatyzmem (1971-1989)* [Between dogmatism and pragmatism (1971-1989)], in: A. Wolff-Powęska (ed.), *Polacy wobec Niemców. Z dziejów kultury politycznej Polski 1945-1989*, Poznań 1993, p. 122.

¹⁴ H. A. Winkler, op. cit., p. 383-385.

lions DM which became available to East Germany thanks to the efforts made by Franz Joseph Strauss indeed saved East Germany from bankruptcy in view of the reductions of oil supply from the Soviet Union. Still, Honecker unmoved by these symptoms continued his conservative policy towards West Germany using as a pretext the deployment of American medium-range missiles in West Germany. The government under Kohl, among others, tried to liberate the rigor of movement on the German-German border as a reaction to the repetitive cases of fatalities reported during attempts to cross the border illegally. Still, in the mid 1980s the real measure of the efforts made to encourage the GDR to enter into more open German-German relations was the fact that even the contacts on the highest level took place only on the occasion of both governmental delegations meeting in Moscow for the funeral celebrations of the consecutive Soviet leaders. It was precisely on such an occasion that on 12 March 1985 E. Honecker and H. Kohl issued a joint statement in which they declared that the cornerstone of preserving European peace is constituted by the "inviolability of borders and respect for the territorial integrity and sovereignty of all the European countries within their present borders"¹⁵. Such formulations, self-evident for Bonn, were treated in Berlin as further evidence of the recognition by West Germany of the separate East German statehood. Eventually, E. Honecker's visit to the Federal Republic of Germany between 7 and 11 September 1987 contributed to his improved position among West German public opinion, which was then more willing to minimize the fundamental differences between the political systems in both German states. The GDR considered it a success to have its separate statehood recognized by the Bonn government, although it was taken into account that a further normalization in the relations between East Germany and West Germany might instigate a spree of far-reaching expectations, which were articulated also by its own citizens and which could shake its political foundations.

However, reaching this level of acceptance of its statehood by East Germany coincided with the time of political openness and transformation taken up by Mikhail Gorbachev, which initiated the deconstruction of the system of the Kremlin's dominance. The social movements which with an increasingly louder voice were expressing the need to enlarge the range of civil rights in the countries of the people's democracy reached a dynamics which was difficult to hide from their own societies and from international public opinion. In this situation the strategy adopted by the GDR authorities had to aim not only at maintaining the ruling government but, perhaps first of all at preventing a fundamental political crisis, which nevertheless occurred not only in a spontaneous but in a mass-scale manner. While in every other country of the people's democracy national identity constituted state integrity and provided the common platform linking the ruling authorities with society, in East Germany

¹⁵ *Ibidem*, p. 417-418.

it was an artificial creation. In this context taking a strict political course was an attempt to stop the processes which in consequence showed a radically different outcome from the GDR's reason of the state created by E. Honecker's government.

The conflict with Poland, which at the time was taking place not only in official cabinets and offices but on the Baltic waters, was to demonstrate the real capacities of East German self-determination. It might have been treated by the authorities as an element of a political game sustaining the artificial identity of East Germany. However, it seems that the German side evaluated its political potential too hastily. Using the weakening of Poland's position among the Warsaw Pact countries caused by the establishment of "Solidarność" and the martial law with its political consequences, East Germany overestimated its capacity. The difference in the potential seemed to be at Poland's advantage. This was underlined by the opinions formulated with reference to the border dispute on the Baltic sea which accounted for the efforts made by E. Honecker's government to recognize the equal legal and political status of both German states as described above. Bogdan Dopierała, a Szczecin historian wrote in his diary on 30 November 1987,

"At the moment East Germany needs the Polish support to obtain a full legal international recognition from West Germany, and because of that it is additionally dependent on Poland in the way in which we can demand a compensation for our support. (...) In the light of the so far experiences the Polish reason of the state requires a permanent existence of the GDR state but is should never be too strong a country. However, it should continuously care about Poland's help and support. It should know that for such support it will always have to pay People's Poland"¹⁶.

The harsh political drive continued by East Germany despite the signs referring to the changes, which had been taking place in the Soviet Union since M. Gorbachev came to power, could result rather in diminishing the importance of East Germany and minimizing its position in the socialist block.

The fact that this did not happen on the occasion of the border dispute was decided by the carelessness of the Polish side. Ignoring the signs indicating the attempt to expand the territorial waters to the disadvantage of the complex of the ports of Szczecin-Świnoujście (the resolution from 1982 providing a directive for the East German Council of Ministers to issue an executive act to alter the zone of the territorial waters was such a sign), and then complete disregard and lack of information showing administrative and diplomatic passivity demonstrated the scale of neglect of the fundamental national and economic interest of Poland. In passing, it can be noted that if the escalation of the dispute is regarded as a direct countercharge of East Germany towards Poland as a "rebellious" ally in the Warsaw Pact, then East Germany could have taken this opportunity directly after the resolution about the

¹⁶ Quoted after: T. Ślepówroński, *Stanowisko elit politycznych i naukowych Pomorza Zachodniego wobec konfliktu między PRL a NRD w Zatoce Pomorskiej (1985-1989)* [Attitude of political and intellectual elites of Western Pomerania towards the Polish - East German conflict in the Pomeranian Bay (1985-1989)], „Zapiski Historyczne” No. 3-4/2000, p. 147-148.

state border from 1982 became effective, and this would coincide with the martial law in Poland. However, resorting to it three years later gave evidence of a coldly calculated attempt to weaken the economic importance of Szczecin/Świnoujście. The port of Mukran created at the time in Rugia, which was able to provide services for the rail and ferry traffic to Klaipeda amounting to 80,000 rail carriages per year (which constituted half of the exports to the Soviet Union), could have effectively eliminated Poland as a transit route between East Germany and the Soviet Union¹⁷. Despite the opportunities which existed within the Council for Mutual Economic Assistance as early as at the stage of planning the investment, the Polish government did not object to marginalizing the west Pomeranian ports. Alterations within the territorial water zone could in practice make these ports unavailable for deep water ships and so not competitive in the Baltic.

ESCALATION AND CONCLUSION OF THE DISPUTE

When after 1 January 1985 the access route and the anchorage were officially located in the territorial waters of East Germany, the possible solutions to the situation faced by the Polish authorities could be described as peculiar. The alarm raised by the local authorities and maritime administration in Szczecin, which initially had been in vain, only as late as 20 February 1985 resulted in a diplomatic note issued by the Polish government expressing a lack of recognition of the unilateral decision made by East Germany. There was a possibility of submitting the case to be decided on by the International Court of Justice with the high probability that the decision would be beneficial for Poland. This however, would constitute an unprecedented manifestation of the lack of unity among the socialist states. Yet, Warsaw did not make use of this possibility even as a means of putting unofficial pressure on Berlin. Instead it was suggested that the territorial waters should be divided according to the median-line principle, and this would sanction a bigger part of the "capture" already appropriated by East Germany. Another idea, which was even more difficult to justify in a rational way, was a proposal to give up the area of the access route and the anchorage under the condition that the cost of its construction and maintenance work should be returned and Poland could continue to use them (?!), or building a new anchorage and access route to Świnoujście from the side of Ławica Odrzana. This with respect to the existing natural conditions would require inconceivable financial resources, which were estimated only for the maintenance of these facilities as four or five times higher than the cost of the disputable access route¹⁸.

The attitude of the local authorities in Szczecin and the central authorities in Warsaw was characterized by their desire to conceal from the general public the fact that a dispute existed and the arguments which were used in the attempt to solve it. It

¹⁷ K. Podgórski, *op. cit.*, p. 52.

¹⁸ *Ibidem*, p. 54-56.

is difficult to find any symptoms of trouble in the official line of policy represented by Warsaw. On 16 September 1986 during the PZPR election conference proceedings in Zielona Góra Wojciech Jaruzelski declared saying that "Today the borderline between the Polish People's Republic and the German Democratic Republic runs not far from Zielona Góra. It is a border of peace and quiet, of friendship and cooperation which unites two socialist states. It is a huge achievement of our nations, and at the same time one of the major components of European peaceful order and an instructive example of overcoming historically layered traumas and distrust"¹⁹. The emphasis put on the importance of cooperation between border regions sounded almost ironical in the speech as well as a mention of the "revanchists on duty" from West Germany, which belonged to the canon of the People's Poland rhetoric.

At the same time the activities performed in the sea by the East German patrol boats had all the features of piracy which put in danger not only the ease of shipping but also posed a threat to the safety of small sports boats sailing according to the international maritime law along the coastline. There were even some incidents of yachts being rammed by unmarked German vessels. Protests filed in the German Embassy by the yacht captains did not bring any effects and neither did they win the support of the Polish Foreign Office. On the other hand, the attempts to appropriate anchorage nr 3 and the access route, located according to the East German law after 1 January 1985 on the territorial waters of that country, were ignored by the captains of container ships and small patrol boats could not do much about it. Altogether the number of sea incidents reported in the four years of the conflict is estimated at 180²⁰.

The expert talks held at the central level in 1986 between the cabinets of Zbigniew Messner and Willi Stoph did not bring a solution. However, the Polish side treated the matter seriously enough not to consider a proposal to establish a condominium over the disputable area; the Polish stance was categorical and, as it was stated in *aide-mémoire* from 30 January 1987, aimed at having the access route to the ports and the anchorage entirely in the area of Polish territorial waters²¹. Since there was no prospect of reaching an agreement, the talks were moved to the political level in the following year. The German side was represented by Hermann Axen, a former chief editor of the ruling party newspaper, "Neues Deutschland", and later on a member of SED's Central Committee. Since the end of the 1960s he was considered to be the architect of East German foreign policy, among others responsible for the preparation of E. Honecker's visits to western countries. The Polish side was represented by Józef Czyrek, the former foreign minister and at the time the secretary

¹⁹ Quoted after: http://www.geocities.com/wojciech_jaruzelski/zielona.html, text according to: W. Jaruzelski, *Przemówienia 1986 [Speeches 1986]*, Warszawa 1987, p. 256-281.

²⁰ This number is given in Tomasz Ślepowoński's analyses, see footnote 1; a similar account in earlier publications by Karol Podgórski in journals published on immigration, see footnote 17.

²¹ See: B. Olschowsky, *Die SED im Drang nach Osten? Der Territorialgewässerstreit zwischen der DDR und Polen 1985 bis 1989*, „Deutschland Archiv“ No. 5/2001, p. 818.

of the Central Committee of PZPR and a member of the PZPR Central Committee Politburo responsible for foreign affairs. The arguments used by the East Germans referred to the ideology of the class fraternity of both states allied against the west European threat. H. Axen declared, among others, the readiness of the Germans to defend the borders of the socialist Poland along the river Elbe (!). J. Czyrek in his reply used the argument of the still alive historical connotations related to the idea of "the corridor" in territorial disputes, which cannot be accepted without risking a loss of public support for the ruling party²². "Czyrek's Line" was interpreted in East Germany as an expression of Polish nationalism, whereas in the confidential opinions of advisors to general W. Jaruzelski in Szczecin which made efforts to force Warsaw to solve the conflict Poland's position, it was treated as defeatist.

The question of whether in 1987 the Polish ruling party (PZPR) really cared for the public support reflected in the elections remains debatable²³. This factor however, started to change faster than the progress made in talks between Poland and East Germany concerning the Pomeranian Bay. The censorship directive to block all the information concerning the dispute was not sufficient to keep the problem completely secret. The pressure exerted by the opinion forming circles in Pomerania took an unprecedented form in the history of the Polish People's Republic when the local authorities, opposition leaders and the church represented by bishop Kazimierz Majdański spoke in unison²⁴. The passivity of the central authorities left Szczecin on its own, and the public mood was reflected, among others in the results of the 1987 referendum which differed from other regions, or in hosting M. Gorbachev who arrived on a state visit, and who was perceived as a guarantor of the Polish reason of the state. Also the fear of the party executives related to the growing political crisis which led to the Round Table talks was not without significance. Polish negotiators in their talks with East Germany used the arguments of the risk of instigating anti-German feelings in Polish society, although the fear of criticism from the consolidating opposition was more prevalent.

In view of the fact that further attempts to solve the dispute did not bring any results, the Pomeranian Bay issue became a topic of talks between E. Honecker and W. Jaruzelski during a meeting in Wrocław on 24 June 1988. General W. Jaruzelski recalls it as a talk of last chance during which he presented the issue "in a principal and even dramatic way"²⁵. The talks between experts which continued in July 1988

²² Ibidem, p. 818-819.

²³ The events under discussion occurred almost in the middle of the parliamentary term of office (1985-1989), however on 29 November 1987 a referendum connected with the so called second stage of the reform took place. Although the subject of the referendum diverged from the originally planned political changes (introducing the office of a president), it in reality was an attempt to probe the political support for the ruling authorities.

²⁴ See: T. Ślepowroński, *Stanowisko elit politycznych i naukowych Pomorza...*, p. 149-155.

²⁵ W. Jaruzelski, *Historyczny wiraż [Historical tight bend]*, commentary for the weekly "Przegląd" on the minutes from talks with German politicians, in: http://www.geocities.com/wojciech_jaruzelski/Niemcy.htm.

headed by Hermann Schwiesau and Władysław Napieraj did not run without problems and the Polish side ruled out, among others any changes to the Frankfurt Act of 1951. The compromise seemed closer after the proposal included in a letter from W. Jaruzelski to E. Honecker in which it was suggested that East Germany would receive, in return for having the borderline moved to the west of the access route and the anchorage, an area of the fishery zone and of the continental shelf to the east of the disputable area. The last argument used by E. Honecker to maintain his line of reasoning was the issue of the Soviet cable running under the seabed beneath anchorage nr 3. However, the Polish side referring to the Soviet expert opinions showed a lack of the USSR's strategic interests in the area²⁶. Eventually, the agreement signed on 22 May 1989 in Berlin by the foreign ministers Tadeusz Olechowski and Oskar Fischer demarcated the borderline of the territorial sea, the continental shelf and the fishery zones in line with the proposed compromise in a way that the entire access route to the port of Szczecin/Świnoujście, as well as the anchorage were located within the Polish territorial waters or in open sea²⁷.

The negotiations ending the dispute over the delimitation of territorial waters developed an unexpected speed which was difficult to expect after the earlier escalation of the conflict between 1985 and 1989. Taking into consideration the final concessions made by the East German side, it is difficult to conclude that the question of border delimitation was the only cause of the dispute. The steps taken by East Germany to unilaterally demarcate the borderline at the expense of neighbouring countries were not a result of one decision or an unintentional mistake. It is also difficult to see the only reason for the conflict in the willingness to use the social and political crisis in Poland in the 1980s to manifest East Germany's position as a faithful guard of ideology and political practice in the Warsaw Pact. This kind of motivation would require fundamental support for East Germany's actions from the Soviet Union. As it was, the climax of the conflict between Poland and the GDR coincided with the period of accelerated changes in the ruling elites of the Kremlin, and eventually with the deconstruction of the authoritarian order under the slogans of *glasnost* and *perestroika*. The conservative attitude of the East German authorities towards the changes lasted until the final days of Honecker's rule; crossing out the Soviet journal "Sputnik" from the list of press imported from the USSR was ranked as a symbol of this attitude. M. Gorbachev recalled his futile attempts to convince E. Honecker about "the need to stop impeding the process of introducing reforms in the country and in the party. (...) Each time I came against a wall of lack of understanding"²⁸. The unquestionable success of the East German policy in the form of recognition of the German dual statehood by West Germany and also, not so much on the legal/

²⁶ See: B. Olschowsky, op. cit., p. 822-824.

²⁷ Agreement between the Polish People's Republic and the German Democratic Republic concerning the delimitation of sea areas in the Pomeranian Bay from 22 May 1989, Dziennik Ustaw 1989 No. 43 item 233.

²⁸ M. Gorbachev, *Wspomnienia [Memoirs]*, quoted after: H. A. Winkler, op. cit., p. 476.

international but on a political level by other countries was not discounted at the time of the breakthrough. Seeking answers to the question whether it could have been used to extend the existence of the GDR in the context of the changes which occurred in Europe in 1989 can only be done by entering a collection of unused scripts of history. However, taking into account the conservative approach factor in the East German policy in the late 1980s allows to explain the quick change of attitude in the dispute over the Pomeranian Bay as their willingness to support the position of the Polish party leaders in view of approaching talks with the Solidarity opposition.

A detailed and multithreaded analysis by Włodzimierz Kalicki includes a suggestion that the reason for the sudden change of the East German attitude in the dispute over the Pomeranian Bay was the information about the course of the plenary meeting of the Central Committee of PZPR from 20-21 December 1988 which reached E. Honecker. During the meeting W. Jaruzelski threatened with his resignation to convince the conservative wing of the party to seek agreement with the opposition. The vision of the allied forces of party liberals and Solidarity opposition directed against the GDR might have persuaded the Berlin leader to make concessions as a form of saving the ideological comrades in Warsaw²⁹. The words of the German negotiators willingly voicing arguments about the internationalist fraternity and allied struggle for peace and security in the face of the threat from the West appear in this context not necessarily as an outdated cliché. For the East German party elites the plight for staying in power was also a struggle to maintain the existence of the country which functioned as an exposition for the entire socialist block. In Poland the party executives did not appreciate the growing risk of losing their power or even their existing privileges. The words spoken *ex post* by W. Jaruzelski read, "If we were political players we would have overblown the conflict with East Germany and mobilized the society around us under patriotic anti-German slogans. Then we would have lost the access route but perhaps not power. Or in any way much later"³⁰. Yet, it does not seem plausible that the events related to the Pomeranian Bay could have stopped the social pressure which launched the political change in 1989.

The news of signing the agreement on 22 May 1989 coincided with the final preparations for the parliamentary election in result of which PZPR lost power. Still, one further manipulation was performed namely the fact that Poland gave up for the benefit of East Germany the fishery zone east of Swinoujście was not disclosed. Although the press published the text of the agreement, which however only included the geographical coordinates of the delimited areas, the price of the compromise was difficult to notice for a lay person. The map included in the publication did not have the fishery zone marked³¹, and the official joint communiqué after W. Jaruzelski's visit to Berlin although lengthy included only one sentence about signing the agree-

²⁹ See: W. Kalicki, *Awantura o rynnę [Row about the waterpipe]*, "Gazeta Wyborcza" 2-3 July 1994, p. 16.

³⁰ *Ibidem*, p. 14.

³¹ Daily "Rzeczpospolita" 24-25 May 1989, p. 6.

ment. Even then such news was accompanied by reassurances on the part of the highest Foreign Office representatives that the conflict in the Pomeranian Bay hardly took place, and certainly not on the scale reported by western mass media³².

The dispute over the delimitation of the Baltic border between Poland and East Germany with its genesis in the post-war decisions of the victorious powers included aspects of economic and political interests, which exceeded the seemingly trivial matter of dividing territorial waters. Taking into account the factors such as the reason of the state of East Germany and Poland, the attitude of West Germany and the beginning of the political change in the Soviet Union allows for a better understanding of the events which caused so much frustration in Szczecin in the late 1980s. The behaviour of the state authorities and party executives both in the GDR and in Poland, who were trying to defend their interests, exposes the weaknesses of the ideology and state institutions by the end of the era and their lack of awareness of the approaching end. The position of East Germany calls for a reflection on the transience of the ideology of separate statehood which was built up over many years, and for which the lack of reaction to the impulses of changes coming from outside proved pernicious.

³² Interview with Władysław Napieraj, "Rzeczpospolita" 24-25 May 1989, p. 1, 6.