THE ISSUE OF LITHUANIA’S INTERNATIONAL RECOGNITION BY THE USA IN 1922

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Summary

The declaration of the US Diplomatic Service of July 28, 1922, recorded in a covert form the temporary statehood of Lithuania, at the same time of Latvia and Estonia, i.e., as long as Bolshevik Russia exists, and the conditionality of these states, recognizing only their governments, but not the states themselves. In principle, this was in line with the Western countries-promoted vision of the national governments of autonomous Lithuania, Latvia, and Estonia as part of democratic Russia. Such a vision was supported not only by the governments of the USA, France and Great Britain, but also by the leaders of the White Russians. The wording “full recognition” used in the declaration of recognition meant recognition de jure and de facto. The USA, in envisioning its relations with the future democratic Russia, did not name these concepts directly in its document of recognition.

Before the official, though peculiar, diplomatic act, the USA maintained informal relations with the Baltic States. Their basis was the indirect recognition de facto based on the May 26, 1919, note to Admiral Alexander Kolchak. The USA, unlike major European countries, did not announce it officially until 1922.

Introduction

The year 1922 was important for the young Lithuanian State since at that time, it was also recognized by major Western countries. The accorded legal recognition provided conditions for this new, small country to integrate into the then global political, economic, and cultural structure.

International recognition de facto and de jure was sought in 1918–1922. The recognition of Lithuania in 1922 was achieved with difficulty, after fulfilling the conditions of major countries officially and unofficially. Those conditions seem to show a lack of guarantees for the statehood of Lithuania, Latvia, and Estonia alike. For example, the US Government obviously sought temporary existence of the Baltic States in 1918–1922.

The author of this article has already investigated the process of, and motives for Lithuania’s recognition de jure by the international political organization – Conference of Ambassadors (Great Britain, France, Italy, and Japan) on December 20, 1922.¹ At this point, it would be appropriate to insert a comprehensive investigation of the US diplomatic approach. Therefore, the purpose of this article is, using the method of comparative analysis, to investigate

¹ Skirius, Lietuvų visuomenininkas, 225–240.
and evaluate the approach the US government announced on July 28, 1922, to the issue of the recognition of Lithuania, Latvia and Estonia. The disclosure of this particular issue is also important for the history of international law.

Historiographical Review

The historiography on the issue of the recognition of Lithuania, as well as Latvia and Estonia, is not sizeable, moreover, that the researchers of the relations between the Baltic States and the USA did not carry out a thorough analysis of the nature of the recognition itself. One of the first to research the Lithuanian-US relations in 1918–1922 was Kostas Jurgėla, a Lithuanian American historian. He announced the fact of the recognition in his dissertation that he defended in 1954 in Fordham University in New York. William Morris David, a US professor of International Law and History, in 1962 defended a doctoral dissertation Development of United States Policy toward the Baltic States 1917–1922, which has never been published. The professor discussed the conditions for the official recognition of the Baltic States in 1922 more thoroughly than Kostas Jurgėla. He was the first to examine the original documents of the US Government held in the US National Archives. Shortly afterwards, a book by Albertas Tarulis dedicated specifically to the issue of the recognition of the Baltic States came out. The author examined the official position of the USA towards the newly established Baltic States more widely than the previous authors. He was the first to note that it was proposed as early as 1920 to recognize these states temporarily, as long as the Bolsheviks were in power in Russia. Tarulis elaborated on the pro-Russian orientation of the USA touched upon by Jurgėla. He tried, though superficially, to associate the recognition by the USA in 1922 with the events of 1940 and the US position on them. But he did not analyze the content of the recognition act of 1922 itself. All the aforementioned historians, having no access to the archives in Lithuania, Latvia and Estonia, basically researched and described the official policy of the US Government towards the Baltic States.

The first to draw attention to the fact that, in 1922, the USA recognized not the Baltic States, but their governments was the Estonian historian H. Talvar and the Latvian historian A. Puga. In his dissertation, the latter evaluated it as the expression of the anti-Bolshevik policy of the USA. The works of the historian Juozas Skirius explore the issue that was not too widely examined by the previous historians – the activities of Lithuania’s representatives in the USA in pursuit of the recognition of the country, discuss the character of its recognition in 1922, and attempt to explain this recognition.

More than one article on the history of the Lithuanian-US relations was published in the

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2 Jurgėla, Lithuania and the United States, 264.
4 Tarulis, American-Baltic Relations, 386.
5 Talvar, The Foreign Policy of Estonia, 130; Puga, Politika imperialisma, 15.
periodical press of the Lithuanian diaspora and Lithuanian. The articles tried to comment on the recognition in 1922 more widely.\(^7\)

**Overview of Sources**

The material of the article and the theoretical summaries made in it are based on archival documents. It includes the originals of the correspondence of the US Department of State leadership with their responsible officials on the issue of the recognition kept in the National Archives in Washington.\(^8\) Also, it includes the reports of Lithuania’s representatives from the United States and the instructions of the leaders of the Ministry of Foreign Affairs of Lithuania to the United States accumulated in the funds of the Lithuanian Central State Archives (hereinafter – LCSA), the Ministry of Foreign Affairs of Lithuania, and the Legation of Lithuania in Washington.\(^9\) The fund of the Lithuanian American Council of the World Lithuanian Archives in Chicago contains surviving documents pertaining to the recognition in 1922. This material was used for political purposes by diaspora organizations working with the liberation of Lithuania in the post-war period. Some of the US Department of State documents, e.g., correspondence with US representatives in the Baltic States in 1920–1922, have been published.\(^10\) These documents reflect the American sentiment, position, and arguments for recognition or non-recognition.

The most important documents analyzed in the article are the July 28, 1922 declaration of recognition and the July 24, 1922 letter from the US Secretary of State, Ch. Hughes to the President of the United States.

**1. Circumstances of the Recognition of Lithuania**

The January 13, 1922 decision of the League of Nations to liquidate the neutral zone and draw a new demarcation line between the Lithuanian State and the territories occupied by General Lucjan Zeligowski was a blow to the national interests of the Lithuanians. However, it now became clear to the Lithuanian diplomats that this forcible change in the *status quo* position opened up new opportunities for them to act more successfully in the international arena in order to achieve

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\(^8\) National Archives of the United States (hereinafter – NAUS). – M1178 – 3, 8, 19; M1185 – 1, 2.


recognition _de jure_ by major Western powers. The official invitation for the Lithuanian delegation to the International Conference in Genoa, received with difficulty, strengthened this hope. In a secret meeting of the Ministry of Foreign Affairs on March 2, an instruction was approved – to coordinate the work of the Ministry of Foreign Affairs and the representative offices in pursuit of Lithuania’s recognition at the Genoa Conference. Lithuanian diplomats predicted that before starting to put pressure on the diplomatic services of major countries, they needed: to assure that the public in those countries had a favorable disposition towards Lithuania; to facilitate their favorable attitude towards Lithuania; to explain that in order to maintain a strong peace in Europe and to recover its economy, the situation in East Europe was first to be stabilized. It was suggested to make use of influential local people with a favorable disposition towards Lithuania for Lithuania’s interests, to use the influence of Russian emigrants in Paris, Prague and the USA in addition, as well as to contact the representative offices of the countries that had already recognized Lithuania so that they would declare to the major powers that Lithuania was completely ripe to be recognized.\(^{11}\)

The Washington Conference ended on February 6, 1922, during which the US diplomats took revenge for the defeat at the Peace Conference in Paris. The treaties approved at this Conference for the first time reflected the increased political influence of the USA in the international arena. Lithuania’s representative in London, T. Naruševičius, claimed that the USA would start to take a greater interest in European affairs because, as a country of powerful industry, it was interested in a faster settlement of affairs in Europe. The diplomat noted that the USA was influencing the policy of Great Britain and France, as their financial situation made them heed the opinion of the Americans. Therefore, the word spoken by the Washington administration will also have an impact on the governments of Great Britain and France.\(^{12}\)

The authorized representative of the Lithuanian Government in Washington, Voldemaras Čarneckis, in early 1922 sought connections with prominent US political figures, trying to win them over. He urged the Lithuanian Americans to get more actively involved in the political activities of Lithuania’s recognition. It should be noted that the efforts of the Lithuanian Government and the activities of its representatives in the USA in 1918–1922 were analyzed quite comprehensively in the aforementioned works by Juozas Skiriūs. It was these efforts that were one of the reasons that prompted the US Government to officially recognize the governments of the Baltic States on July 28, 1922. The material found in the US archives shows that as early as September 7, 1920, the US Department of State was recommending the recognition of the governments of the Baltic States _de facto_ and _de jure_ as part of Russia.\(^{13}\) This proposal was, however, delayed until 1922, leaving a lot of uncertainty in the field of international law as well. At this point, it would be appropriate to note that on April 25, 1922, the US Government unequivocally declared that it recognized the “independence of Egypt”.\(^{14}\)

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\(^{11}\) Skiriūs, _Lietuvių visuomenininkas_, 225, 227–228.


\(^{13}\) 1920 09 07 letter, the US Secretary of the Navy to the US Secretary of State. NAUS. – M1185–1. P. 588.

2. Recognition of Government. What is it?

In the practice of international law, this is a rare and unique recognition. Therefore, a special study is necessary to find out why the Americans chose this form of recognition, why and in which ways it was useful for US diplomats, and what it gave to Lithuania and its neighbors.

On July 24, 1922, the US Secretary of State, Ch. E. Hughes, addressed a special letter to the President of the USA, V.G. Harding, asking for his approval to accord recognition to the governments of the Baltic States. According to him, the “time has come” for this, and “this step is consistent with our general policy towards Russia”. The President approved. Interestingly, it was suggested to read out a verbal communication: “The Government of the United States recognizes the governments of Estonia, Latvia, and Lithuania” and to prepare a broader declaration in writing. All this was to be done by the US consuls who were to inform the Ministries of Foreign Affairs in Riga, Tallinn, and Kaunas on July 28 at the same time. Efforts to come across in the Lithuanian archives the material about the official declaration of the USA with the comments or discussions of Lithuanian diplomats have failed. The declaration was printed in the official collection of US diplomatic documents without the aforementioned communication. Assumingly, it was a conscious attempt not to publish the verbal communication. All the more so because the declaration, based on major European countries, which had already recognized the governments of Estonia, Latvia and Lithuania de jure or de facto, refers to the recognition quite vaguely. So, as if logically following the European policy, the US leadership nonetheless does not want to stand out “by according recognition to them from their side”. It must be noted that at that time, the European countries such as Great Britain, France, Italy and Germany had not yet officially recognized Lithuania de jure, but were already openly considering such a possibility. American diplomats were aware of that and followed those events closely. Their decision to accord recognition on July 28 can be seen as an effort to get ahead of the Europeans. Thus, US diplomacy did not only win in a political, but also in a moral point of view. In the eyes of the Baltic nations, the Americans were able to remain as a country of great democracy, the defender of small nations, thus strengthening its international authority.

However, the Americans underestimated European diplomacy. The Conference of Ambassadors, in their December 20, 1922 note, decided to recognize the Republic of Lithuania de jure. This international recognition was of a higher level than that of the Americans.

Professor of International Law V. Vadapalas noted that the criteria for government recognition are less obvious than those for state recognition. The practical difference comes to

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15 1922 07 24 correspondence between the President of the USA, V.G Harding, and the US Secretary of the State, Ch. E. Hughes. Lithuanian World Archives (hereinafter – WLA). American Lithuanian Counsel (1939–1990) fund. Files and pages are not numbered.
16 Ibid.
18 Ibid.
19 Skirius, Lietuvos užtatantės diplomatija, 65.
20 Skirius, Lietuvos visuomenininkas, 232.
21 Vadapalas, Tarptautinė teisė, 219.
light in the case of the recognition accorded by the USA. As early as June 1921, during a conversation with Lithuania’s representative Jonas Vileišis, the US Secretary of State gave away that “he does not object to the recognition of our independence, with a small remark that such recognition is given temporarily”.\(^\text{22}\) This is an excellent comment in the third paragraph of the official declaration made on July 28, 1922. This paragraph states that

the troubled state of affairs in Russia cannot be the reason for the division of Russian territory, and it is considered that this attitude does not affect the current recognition of the Governments of Estonia, Latvia, and Lithuania.\(^\text{23}\)

The conclusion is quite clear: as long as the Bolsheviks are in power in Russia,\(^\text{24}\) it is expedient to support the independence of the Baltic States. It is a kind of way to weaken Bolshevik Russia. In the aforementioned letter of July 24 to the President of the United States, the Secretary of State clearly noted that intended recognition of the Baltic States

by the United States was delayed in order to consider the conditions related to the general issue of Russia, especially due to the need at the time to oppose the tendency of some European states (Great Britain – J. S.) to incite the division of the Russian State, and the United States felt that their interests required a strong and united, and democratic Russia in the future.\(^\text{25}\)

This is clarified by the Secretary of State himself: on May 11, 1921, he gave away that “the recognition of the Baltic States is possible with a remark that if the old Russia comes to the normal state of affairs again, then the issue of the recognition of these States can be reconsidered.” Thus, a reserve is left in favor of non-Bolshevik Russia – temporary recognition of the Baltic States.

On the basis of the May 26, 1919 letter signed by the leaders of the USA, Great Britain, France, Italy and Japan to Admiral Kolchak, as the leader of the White Russians, we can claim that the concept “temporary” in American diplomatic terminology is not accidental. In this letter, Kolchak is actually recognized as the leader of the future democratic Russia, if non-Russian peoples, including the Lithuanians, will be granted wide autonomy in Russia.\(^\text{26}\) Since this letter was initiated by the Americans, Lithuania, in their opinion, must also be a constituent part of the Russian State with autonomous rights, just like Latvia, Estonia, Ukraine and other countries. Germany foresaw that these autonomous territories would also have their national governments

\(^{22}\) LCSA, f. 383, ap. 7, b. 192, l. 23.
\(^{24}\) After Bolshevik government and kaiserlich Germany signed a Treaty of Brest on March 3, 1918, RTFSR (Soviet Russia) became Germany’s ally and, at the same time, an enemy of Triple Entente and the USA.
\(^{25}\) WLA.
\(^{26}\) Russian-American Relations, 339.
subordinate to the center, Russia. Even in their declaration of recognition of 1922, which the Lithuanian Government received as well, the Americans noted that this act did not violate the principle of Russia’s indivisibility. Thus, the Americans committed no crime against the Great Russians at all, because, basically, in 1922 they recognized, of course, in a covert form, the autonomous territories and autonomous governments, which, if necessary, will automatically and painlessly “return” into the composition of democratic Russia. It should be noted that the idea of such autonomy was completely unacceptable to the societies of the Baltic States and their leaders. The Americans were well aware of that. Therefore, wishing to avoid a negative disposition of Lithuanian, Latvian and Estonian societies towards them, they contented themselves with an official verbal communication. Vladas Jurgutis, a member of the Lithuanian Government, Minister of Foreign Affairs, informed the Seimas and the press that the USA “recognized Lithuania.” Lithuanian diplomats found a neutral option, which established itself for a long time in the press and in the terminology of diplomats and historians later. This way, the essence of real recognition by the USA was disguised for a long time.

The principle of Russia’s indivisibility is, from a certain point of view, recorded in a personal letter of Augustinas Voldemaras, the chairman of the Lithuanian delegation at the Peace Conference in Paris, written to the British politician, Prof. D. Simpson in June 1919. The essence of the letter is that – if the democratic system is restored in Russia, then Lithuania could become a part of the Russian Federation on the grounds of autonomy, like Bavaria in Germany.27 However, in writing this, the head of the Lithuanian diplomatic service did not, himself, believe in the restoration of the democratic system in Russia soon. It was just a political game of Voldemaras and Western diplomats. But this letter of his was accepted by the politicians of the Entente countries and the USA as the official position of the Government of Lithuania with all consequences arising from it. For the Westerners, this letter became an argument for Lithuania’s possible relations with the future democratic Russia. It was no coincidence that the US Secretary of State, R. Lansing, in his official letter of October 15, 1919, recommended the Lithuanians to get into agreement with Admiral Kolchak and become a part of Russia with autonomous rights. Only with such circumstances will the USA be able to maintain relations with the Lithuanian Government.28 Thus, the issue of Lithuania’s independence depended on the outcome of the struggle between the White and the Red forces in Russia. The victory of the White Russians entailed autonomy within Russia for Lithuania. It must be noted that the Bolsheviks were aware of such federal provisions of the Western countries and thus, when declaring the establishment of the USSR at the end of 1922, they adapted them to their own interests. The emergence of the Ukrainian SSR, the Belarusian SSR and others within the State of the USSR was a kind of idea of autonomy similar to the Western concept yet distorted in terms of content. The incorporation of Lithuania, Latvia, and Estonia into the USSR in 1940 in a way corresponded to the 1919-1922 American concept. Everything would


have been fine if it had happened without the Bolsheviks in power.

3. Why the Recognition Took Until 1922

This issue is directly related to the nature of the recognition. Analysis of archival documents shows that even recognition of such a limited nature was coercive for the Americans, and without their initiative. US politicians did not show any efforts to speed up the recognition of the Baltic States; on the contrary, they looked for reasons to slow down the very act of recognition, to postpone it to an unforeseeable future as much as possible. First if all, this can be explained by the fact that the leaders of the Entente countries and the USA followed the position that the territory of the Russian State, except for Poland and Finland, which were recognized as independent, is indivisible and integral. This was established in the document mentioned above – the May 26, 1919 note of the Supreme Council of the Allies to Admiral Kolchak. The Westerners’ hope that the Bolsheviks will soon be crushed in Russia prevented the recognition of Lithuania, Latvia, and Estonia for a long time. The ambassador of the White Russians, Boris Bakhmeteff, had a particularly strong influence on the Washington administration – by trying to represent the interests of the peoples of prewar Russia. The historian A. Tarulis has proved that until mid-1921, the leadership of the US Department of State consulted and coordinated their actions with Bakhmeteff on all the most important issues of the Baltic States. The political White Russian forces in Paris, Berlin and Washington were hostile to the efforts of Polish politicians to join Lithuania in different ways. Ambassador Bakhmeteff’s position is explained as follows: it will be more difficult to recover Lithuania if, after the overthrow of the Bolsheviks in Russia, it will have been annexed by the Polish State. It is therefore better to recognize Lithuania’s, as well as Latvia’s and Estonia’s temporary independence. Moreover, as it was becoming clear that the Bolshevik rule in Russia had established itself for a long time and no material political changes could be expected there in the near future, Bakhmeteff’s status in Washington changed as well. When resigning, he presented an official Memorandum on the Baltic States to the Department of State on July 1, 1921. In this document, he proposed that these states be “recognized conditionally,” i.e., temporarily. The Ambassador noted that this form of recognition had no precedent in diplomatic practice. But the principles of such recognition had already been laid down in the aforementioned note of May 26, 1919. More on that a little later. Whereas the form of recognition proposed by the Ambassador was formulated and dictated, as was already mentioned, by the Americans themselves even before the submittal of the Memorandum.

It should be noted that the strained relations between Lithuania and Poland were one of the obstacles for major European powers to recognize Lithuania. On January 26, 1921, Latvia and Estonia were recognized de jure (most probably, their governments – J. S.), whereas the recognition of Lithuania was withheld until its border with Poland was settled. This withholding

29 Tarulis, American-Baltic Relations, 348–350.
of recognition had repercussions in Washington.\textsuperscript{31} It was one more pretext for the Americans, and a hedge at the same time, to stop the recognition of not only Lithuania, but also Latvia and Estonia, disappointing their politicians. What is also important is that this position of the Americans and the aforementioned Memorandum explain to us why US diplomats widely use the terms “Baltic provinces” and “Baltic States” trying to avoid distinguishing national territories. The thing is that they were viewed as a constituent part of the Russian Federation, and it was avoided to grant exclusive rights to any of them thus enabling any of them to stand out in the trio in pursuit of the establishment of their independence and faster recognition.

Ambassador Bakhmeteff’s position formally “untied the hands” for the US administration to interpret the status of the Baltic States more freely. However, preparations for the international conference in Washington to be held on November 11, 1921 to February 6, 1922 and its organization “froze” the issue of the recognition of the Baltic States for some more time. For the Americans, who were pursuing their own goals, it was not useful talking about the division of Russian territories as this was what the Japanese delegation sought in particular. However, after the Conference, in March and April of 1922, intensified activity was observed again – individual US politicians and public figures, not to mention the Lithuanian diaspora, constantly urged the US Department of State to recognize the Baltic States.\textsuperscript{32} The representative of the USA in the Baltic States, E. Young, in his letter of April 6 (The Department of State received it on April 26), tried to convince the US Secretary of State that it was necessary to recognize the Baltic States because, according to the information he had collected, the restoration of democracy in Russia will be a very long process. He noted that the Baltic States had made tangible progress on the issue of administration of their territories, that they were operating according to permanent or temporary constitutions, that their democratically elected parliaments were passing laws necessary for the wellbeing of their residents, and that taxes were being collected in accordance with the laws. Each of the states had a small but disciplined army. Thus, each of these states fully met the basic requirements for the international recognition of their governments.\textsuperscript{33} Probably, these arguments prompted the US diplomatic service to take more practical action.

On May 1, 1922, the employees of the Russian Affairs Department of the US Department of State prepared a secret document for the Secretary of State in two parts: Arguments for the recognition of the Baltic States and Arguments against the recognition of the Baltic States.\textsuperscript{34} Consequently, the Americans wanted to summarize the pros and cons of the recognition. In presenting positive arguments for the recognition, they confined themselves to the fact that the Baltic States had existed \textit{de facto} for three years and had already been recognized by the League of Nations and some major powers. They also took into account that they were old European

\begin{footnotes}
\item[31] The Commissioner at Riga (Young) to the Secretary of State. Riga, May 9, 1921. FRUS. 1921. Vol. 2. P.755.
\item[33] The Commissioner at Riga (Young) to the Secretary of State. Riga, April 6, 1922. FRUS. 1922. Vol. 2. P. 869–872.
\item[34] Division of Russian Affairs. May 1, 1922. NAUS. – M1185–2. P. 495–496.
\end{footnotes}
nations with a specific language and culture that were now creating an independent economic life. According to the Americans, the recognition of the Baltic States would strengthen the development of democracy in the states themselves and in the surrounding countries.\footnote{Ibid., 496.} These, more moral, but obvious arguments were also put forward at the beginning and end of the 1922 declaration of their recognition: “The Governments of Estonia, Latvia and Lithuania have already been recognized \textit{de jure or de facto} by major European governments and have contractual obligations with their neighbors (...) are established and supported by the local population”.\footnote{FRUS. 1922. Vol. 2. P. 873–874.} This formalization of the diplomatic and legal document is logically based on objective conditions arising from the principles of US foreign policy. One of them is not to show initiative first if it is not important to US policy.

It was no coincidence that, in presenting one of their arguments “against,” the Americans doubted if it was expedient for US diplomacy to show the initiative of recognition, which “will not be a gain of US diplomacy.” The more so because this could be harmful for future relations with Russia.\footnote{NAUS. – M1185–2. P. 495.} At the same time, we can say that there is an economic factor that promotes US diplomacy. Facilitation of US trade with Russia through the Baltic seaports and faster repayment of the Baltic States’ debts to the USA are cited as a positive argument for the recognition.\footnote{Ibid.}

Whereas the arguments “against” once again clearly testify to the desire of US authorities to maintain an undivided “strong and united Russia.” The Americans were convinced that the recognition of the Baltic States would “change the former international balance” and even cause a so-called political chain reaction, and then other non-Russian nations could try to demand recognition. According to the Americans, the recognition of the Baltic States will reduce their responsibility for part of the debts of the Russian Empire and will hinder trade between the USA and Russia in the future (transit, customs fees, etc.).\footnote{Ibid.} Thus, the document gives the impression that the arguments “against” outweigh the arguments “for” in their political significance as well. This, of course, had influence on the leaders of the US Department of State in formulating a specific form of recognition of the governments of Lithuania, Latvia, and Estonia.

It is worth noting that, for the US Government, the USA itself was an ideal state. Therefore, as a supporter of federations and unions, it naturally opposed the establishment of new small countries. For the Americans, such states seemed unstable and dangerous. The Balkan states, which were constantly at war among themselves, served as an example for them. In addition, the Americans were strongly affected by economic factors as there is little benefit from small states – small trade and small capital investment. The Baltic States attracted the Americans’ attention due to their strategic, economic and military position. In the period under review, they were a perfect bridge into Russian markets.

4. The Issue of the Category of Recognition
In the July 25, 1922 telegram to E. Young, the representative of the USA in the Baltic States, signed by Ch. E. Hughes, the US Secretary of State, instruction was given to inform the Ministries of Foreign Affairs of Estonia, Latvia, and Lithuania that on July 28 in the morning the USA will accord “full recognition” to each of these countries.\(^{40}\) Whereas in the official declaration it was noted that the USA is according “recognition” (without the word “full”). Before that, it is indicated that the governments of the aforementioned countries have already been “recognized *de jure* or *de facto* by major European powers”.\(^{41}\) US diplomats are obviously avoiding indicating a specific category of recognition — *de facto*, *de jure* or both at once. The expression “full recognition” could mean the last option. The leaders of the Ministry of Foreign Affairs of Lithuania, having received the declaration of recognition from the Americans, sent a copy of it and a comment about the “*de jure* recognition of Lithuania by the United States of America” to the representative of Lithuania V. Čarneckis in Washington.\(^{42}\) Historian A. Tarulis also supported this interpretation.\(^{43}\) International law textbooks, too, refer to *de jure* recognition as “full” (or “complete”) recognition.\(^{44}\) In theory, yes, but the available facts make us interpret this recognition somewhat differently.

Lithuanian society in Lithuania and the USA expressed their joy at the recognition through the press, in rallies and demonstrations – thanking the Americans for Lithuania’s recognition *de jure*.\(^ {45}\) Hence, everywhere *de jure* recognition is talked about, although the official declaration does not mention it directly. Furthermore, maybe “full recognition” means both *de jure* and *de facto*? How could one understand *de facto* in this US 1922 act of recognition? Was there such recognition at all? In discussing this, it is necessary to recall the May 26, 1919 note to Admiral Kolchak mentioned more than once above. The fifth clause of the note, in relation to the autonomous territories of the Russian Federation, states that “the Russian State agrees to recognize these territories as autonomous and approve *de facto* relations, which may be between these governments and the Union, the United governments”.\(^{46}\) On this basis, *de facto* recognition was first accorded to the Lithuanian Government by Great Britain on September 24, 1919, France on May 11, 1920, and even Poland on July 7, 1920. But no official recognition from the USA was received, neither Lithuanian nor US press coverage of that is available, no corresponding documents have been found in the archives. It is more likely that the July 28, 1922 recognition covers both *de facto* and *de jure*. Interestingly, Lithuania’s representative Jonas Vileišis and the Lithuanian American figure Matas Vinikas, who had a diplomatic education, noted more than once that the US Government does not practice *de facto* recognition, applying only one – *de jure* recognition. According to them,

\(^{40}\) FRUS. 1922. Vol. 2. P. 873.

\(^{41}\) Ibid.

\(^{42}\) 1922 07 31 report, Secretary of the General Department at the Ministry of Foreign Affairs, St. Jaloveckienė to V. Čarneckis in Washington. LCVA, f. 565, ap. 1, b. 245, l. 99.


\(^{44}\) Vadapalas, *Tarptautinė teisė*, 213.


\(^{46}\) *Russian-American Relations*, 339.
the US Government does not make a distinction between these two forms of recognition.\textsuperscript{47} However, archival diplomatic documents show that \textit{de facto} recognition could exist in US diplomacy. Lithuania’s representative Vileišis was received on April 3, 2020, according to him, “semi-officially” by Secretary of State, B. Colby, with whom he talked about the recognition of Lithuania \textit{de facto}. Colby said that the Lithuanians would get what they demanded in a short time and promised to “speed up” this matter.\textsuperscript{48} Whereas in a telegram dated July 23, 1920, the US representative in the Baltic States, E. Young, recommended the US Department of State to immediately recognize all three states \textit{de facto}, and to accord \textit{de jure} recognition to Latvia and Lithuania in the near future.\textsuperscript{49} Later, the talks about \textit{de facto} recognition stop in the US diplomatic circles, but \textit{de jure} recognition is talked about quite often.\textsuperscript{50} An opinion is formed that Lithuania, or rather its Government, is already considered recognized \textit{de facto}. In the theory and practice of international law, recognition \textit{de facto} is possible even without making a formal declaration, when normal international relations are maintained with a new state or government: international agreements are concluded, diplomatic or consular relations are maintained, official visits of representatives are organized, etc.\textsuperscript{51} In the practice of Lithuanian-US relations all that is there. Even the US Secretary of State himself, in his letter to the US President, notes the relations of the US representative in the Baltic States and Consul in Kaunas with the Lithuanian Government, as well as the representatives of the Baltic governments in the USA received informally in Washington.\textsuperscript{52} The opening of the US Consulate in Kaunas on November 7, 1921, is the most obvious fact. True, the official representatives of the USA stated that the establishment of the Consulate had nothing to do with the recognition of Lithuania, it only had “to mediate business matters”.\textsuperscript{53} But even at this point, the Americans spoke about “recognition” abstractly, without categorizing it. Lithuanian historiography has already drawn attention to the forms of recognition. Historian R. Žepkaitė, without carrying out a more detailed analysis, linked the Consulate with recognition \textit{de facto}.\textsuperscript{54} It can be said that with such a complicated situation of the Baltic States, the US policy plans did not provide for a formal legal naming of \textit{de facto} recognition. In fact, no formal declaration was made, which, naturally, was harmful for Lithuania, Latvia, and Estonia on an international scale. Consequently, based on the May 26, 1919 note to Alexander Kolchak, it can be claimed that the Americans unofficially maintained \textit{de facto} relations with the Lithuanian Government. The more so because the Memorandum prepared by the Foreign Trade Adviser of the US Department of State on April 2, 1921 unequivocally noted that the USA “recognizes the fact of the existence of the Baltic States”.\textsuperscript{55}

\begin{footnotes}
\item[47] Skirius, “Lietuvos pripažinimo klausimas,” 96.
\item[48] 1920 04 03, Copy of J. Vileišis’s letter to the Ministry of Foreign Affairs. LCVA, f. 656, ap. 1, b. 234, l. 239.
\item[51] Vadapalas, \textit{Tarptautinė teisė}, 213.
\item[52] WLA.
\item[53] Skirius, \textit{Lietuvos užatlantės diplomatiija}, 67–68.
\item[54] \textit{Istorija Litovskoj SSR}, 342.
\end{footnotes}
5. Conclusions

Thus, there are grounds to believe that the relations between the USA and Lithuania in 1919-1922 were based on the unnamed recognition of the Lithuanian Government de facto, which is indirectly recorded in the declaration of July 28, 1922. However, at that time, states talked about de jure recognition, especially major European states. Therefore, the public’s attention was on it in assessing the recognition accorded by the USA. The Americans, avoiding international obligations to the Baltic States, not only found an interesting textual arrangement of the wording of recognition, but also an unconventional way of recognition. The lack of specificity in the formal declaration of recognition provided possibilities for further manipulation in considering recognition forms in the future. It was done deliberately for the sake of the future relations with democratic Russia, at the same creating a precedent for the temporary nature of the Lithuanian, Latvian and Estonian States.

Such limited recognition of the Baltic States was favorable in some respects. First of all, the recognition was accorded to the Lithuanian Government at a time when it had already lost the Vilnius Region, and the Klaipėda Region had not yet been legalized internationally as a part of Lithuania. De jure recognition of the Lithuanian State (accorded by the USA) would have prevented it from the recovery of the aforementioned territories. Second, the USA was the first among major Western countries to recognize Lithuania at this level, which gave the country confidence on an international scale and moral strength in the fight for its national rights. The Americans themselves noticed that. The US Consul in Kaunas claimed in his letter to Washington that the recognition “had inspired the Lithuanians with new strength in the difficult fight for their rights”.

Works Cited


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56 November 1922 report, The US Consul in Kaunas Klementas S. Edvardas to the USA Department of State. NAUS. – M1178–1. P. 510.
Translated by Dalia Šatienė and Kerry Shawn Keys