

*The United States and the NATO Non-extension Assurances of 1990:
New Light on an Old Problem?*

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Posted November 25, 2020

More than thirty years have gone by since U.S. Secretary of State James Baker assured Soviet leader Mikhail Gorbachev in February 1990 that if Germany remained part of the North Atlantic Treaty Organization after reunification and if the United States “maintained a presence” in that country, “there would be no extension” of NATO’s jurisdiction “one inch to the east.”¹ NATO, of course, later was expanded to include not just the USSR’s former allies in Eastern Europe but even some former Soviet republics as well, and many Russians have claimed that, in taking in those new members, the NATO powers were renegeing on promises that Baker and other high western officials had made as the Cold War was ending.² The Americans, as Gorbachev himself put the point in 2008, had “promised that NATO wouldn’t move beyond the boundaries of Germany after the Cold War but now half of central and Eastern Europe are members, so what happened to their promises? It shows they cannot be trusted.”³

What are we to make of those allegations? Jack Matlock, the U.S. ambassador in Moscow in 1990, thought that the Russians had a real case here. Gorbachev, in his view, had been given “categorical assurances” that “if a united

A shorter version of this article will be published in *International Security* in the near future.

¹ See Gorbachev-Baker meeting, February 9, 1990, U.S. record, doc. 5, p. 6; and Gorbachev-Baker meeting, Soviet record. (excerpts), February 9, 1990, doc. 6, p. 5; both in Svetlana Savranskaya and Tom Blanton, eds., “NATO Expansion: What Gorbachev Heard,” National Security Archive Electronic Briefing Book No. 613 [henceforth cited as NSAEBB613], December 12, 2017 ([link](#)).

² For examples, see Mark Kramer, “The Myth of a No-NATO-Enlargement Pledge to Russia,” *Washington Quarterly* 32, no. 2 (April 2009) ([link](#)), p. 39; Kristina Spohr, “Precluded or Precedent-Setting? The ‘NATO Enlargement Question’ in the Triangular Bonn-Washington-Moscow Diplomacy of 1990–1991,” *Journal of Cold War Studies* 14, no. 4 (Fall 2012) ([link](#)), pp. 4-5; Joshua R. Itzkowitz Shiffrin, “Deal or No Deal?: The End of the Cold War and the U.S. Offer to Limit NATO Expansion,” *International Security* 40, no. 4 (Spring 2016), pp. 7, 12-13 ([link](#)); and Hannes Adomeit, *Imperial Overstretch: Germany in Soviet Policy from Stalin to Gorbachev: An Analysis Based on New Archival Evidence, Memoirs, and Interviews* (Baden-Baden: Nomos, 2016) ([link](#)), p. 655. Note also Uwe Klusmann, Matthias Schepp and Klaus Wiegrefe, “Absurde Vorstellung,” *Der Spiegel*, November 23, 2009 ([link](#)); an English translation was posted on the *Spiegel* website a few days later ([link](#)). For some frequently cited statements by key Russian officials, see Vladimir Putin’s remarks at the Munich Conference on Security Policy, February 12, 2007 ([link](#)); Putin’s speech to the Duma, March 18, 2014 ([link](#)); and “A Conversation with Sergei Lavrov, Russian Foreign Minister,” at the Council on Foreign Relations in New York, September 24, 2008 ([link](#)). For a recent Russian perspective, see Anatoly Adamishin, “The End of the Cold War: Thirty Years On,” in Daniel S. Hamilton and Kristina Spohr, eds., *Exiting the Cold War, Entering a New World* (Washington: Brookings Institution Press, 2019) ([link](#) to article) ([link](#) to full volume).

³ Quoted in Adrian Blomfield and Mike Smith, “Gorbachev: US Could Start New Cold War,” *The Telegraph*, May 6, 2008 ([link](#)). For a similar view, see Mikhail Gorbachev, “The Expansion of NATO in the Context of Global Politics,” in Anton Bebler, ed., *The Challenge of NATO Enlargement* (Westport: Praeger, 1999), esp. pp. 61-62. He took much the same line in 2009. German Chancellor “Kohl, US foreign minister James Baker and others assured me,” he said, “that NATO would not move one centimetre to the east. The Americans did not stick to [that commitment], and the Germans didn’t care. Perhaps they even rubbed their hands [and celebrated] how skillfully one had pulled the Russians over the table. But what did it lead to? The result has been that now the Russians no longer trust Western assurances.” “Die Deutschen waren nicht aufzuhalten,” *Bild*, April 2, 2009, quoted in Adomeit, *Imperial Overstretch* ([link](#)), p. 655. As will be shown later, Gorbachev at times took exactly the opposite line and denied that the promises had anything to do with Eastern Europe.

Germany was able to stay in NATO, NATO would not move eastward.”⁴ Robert Gates, the deputy national security advisor at the time, also thought that “Gorbachev and others” had been “led to believe” that the “expansion of NATO eastward” would not happen, “at least in no time soon.”⁵ And a number of scholars have reached similar conclusions. Joshua Shiffrin, in an important article published in this journal in 2016, sought to show that “Russian assertions of a ‘broken promise’ regarding NATO expansion have merit”—that “during the diplomacy surrounding German reunification in 1990, the United States repeatedly offered the Soviet Union informal assurances against NATO’s future expansion into Eastern Europe.”⁶ Svetlana Savranskaya and Tom Blanton, in a widely cited National Security Archive electronic briefing book posted online in 2017, referred to a “cascade of assurances,” which the Soviets, they said, had been given in 1990, and concluded that “subsequent Soviet and Russian complaints about being misled about NATO expansion” were supported by the evidence.⁷ And Mary Sarotte, the author of a number of important books and articles dealing with these matters, half agrees. She, in fact, explicitly rejected the idea that the assurances did not apply to Eastern Europe—that when Baker, German Chancellor Helmut Kohl, and German Foreign Minister Hans-Dietrich Genscher assured the Soviet leaders that NATO would not expand toward the east, they were referring only to East Germany. “Visiting Moscow in February 1990,” she says, all three of them “repeatedly affirmed that NATO would not move eastward at all.”⁸ I say “half agrees” because she does not think that those affirmations constituted a promise, since they were never confirmed in

⁴ Quoted in Philip Zelikow, “NATO Expansion Wasn’t Ruled Out,” *International Herald Tribune*, August 10, 1995 ([link](#)). Zelikow does not give the source, but Matlock made much the same argument in Congressional testimony in 1996 and in a conversation with the former CIA analyst Ray McGovern in 2014. U.S. Congress, House Committee on International Relations, *U.S. Policy toward NATO Enlargement*, June 20, 1996 ([link](#)), p. 31; and Ray McGovern, “When the U.S. Welched on Shevardnadze,” *Baltimore Sun*, July 15, 2014 ([link](#)). In that same year 2014, however, Matlock seemed to be leaning in the opposite direction. See Jack Matlock, “NATO Expansion: Was There a Promise?” April 3, 2014 (posted on Matlock’s personal website) ([link](#)). Matlock also laid out his views, in 2011, in an exchange of correspondence with Rodric Braithwaite, the British ambassador in Moscow during the period in question. Extensive extracts are quoted in Pavel Palazhchenko, “Mikhail Gorbachev and the NATO Enlargement Debate: Then and Now” ([link](#)), in Hamilton and Spohr, *Exiting the Cold War* ([link](#)), pp. 445-50.

⁵ Robert M. Gates oral history, Miller Center George H.W. Bush Oral History Project, July 23-24, 2000 ([link](#)), p. 101.

⁶ Shiffrin, “Deal or No Deal?” ([link](#)), pp. 40-41.

⁷ Savranskaya and Blanton, “NATO Expansion: What Gorbachev Heard,” NSAEBB613 (December 12, 2017) ([link](#)).

⁸ Mary Sarotte, letter to the editor (exchange with Mark Kramer), *Foreign Affairs* 93, no. 6 (November-December 2014) ([link](#)), p. 209.

writing: Gorbachev, she writes, “never got the West to promise that it would freeze NATO’s borders.”⁹ Still, she does not believe that the Russians can really be blamed for thinking a promise had been made.¹⁰

Most Western scholars and former officials, however, have been unwilling to go even that far. Baker himself insisted in 1997 that he had “never intended to rule out the admission of new NATO members,” that “the proposal on NATO jurisdiction applied only to territory of the former East Germany,” and that even that proposal “had been speedily withdrawn.”¹¹ In an interview with CNN in 2009, he laid out what by that point had become the standard American position. He wanted to say one more thing, he told the interviewer, about “this question of extending NATO”:

You know, there was a discussion about whether the unified Germany would be a member of NATO, and that was the only discussion we ever had. And the Soviets signed a treaty acknowledging that the unified Germany would be a member of NATO. So I don't understand how they can have these ideas that somehow, now, we promised them there would be no extension of NATO. There was never any discussion of anything but the GDR [German Democratic Republic, the official name for East Germany].¹²

Many other former officials share that view. Philip Zelikow, who had dealt with these issues on the National Security Council (NSC) staff in 1990, and Rodric Braithwaite, the British ambassador in Moscow at the time, are good cases in point, and a number of former German officials, including Genscher himself, came to express similar opinions.¹³ Even Matlock, on some occasions, has said that in giving the assurances both Baker and Genscher were thinking only of what was then East German territory.¹⁴ And that general view has been endorsed by a number of scholars, especially Mark Kramer, Hannes Adomeit, and Kristina Spohr. Kramer, for example, in an important 2009 article called “The Myth of a No-NATO-Enlargement Pledge to Russia,” wrote that the “documents from all sides fully bear out Zelikow’s argument” that the “United States made no commitment at all about the future shape of NATO” aside “from some special points

⁹ Mary Elise Sarotte, “A Broken Promise? What the West Really Told Moscow About NATO Expansion,” *Foreign Affairs* 93, no. 5 (September-October 2014) ([link](#)), p. 96.

¹⁰ See Mary Sarotte, “Not One Inch Eastward? Bush, Baker, Kohl, Genscher, Gorbachev, and the Origin of Russian Resentment toward NATO Enlargement in February 1990,” *Diplomatic History* 34, no. 1 (January 2010) ([link](#)), pp. 137-39.

¹¹ This was Michael Gordon’s paraphrase of Baker’s views in his article “The Anatomy of a Misunderstanding,” *New York Times*, May 25, 1997, p. 3 ([link](#)).

¹² Baker interview with Christiane Amanpour, November 9, 2009 ([link](#)).

¹³ See Zelikow, “NATO Expansion Wasn’t Ruled Out” ([link](#)). Braithwaite claimed in 2015 that “no written or oral assurances about Nato enlargement were given during the negotiations for German reunification in 1990.” Rodric Braithwaite, “The West’s Assurances to Soviet Ministers on Eastward Expansion of Nato,” letter in the *Guardian*, May 26, 2015 ([link](#)). For the views of key German officials, see both Genscher’s remarks and the comments made by Dieter Kastrup (Political Director at the German Foreign Office at the time) in “Witness Seminar: Berlin in the Cold War, 1948-1990, German Unification, 1989-1990,” held at Lancaster House on October 16, 2009, pp. 116-18 ([link](#)). Note also the remarks of Kohl’s close advisor Horst Teltschik cited in n. 20 below.

¹⁴ Matlock review of Sarotte’s 1989, *Cold War History* 10, no. 4 (2010), p. 576 ([link](#)).

about eastern Germany,” which were codified in the September 1990 treaty relating to the status of the reunified German state. The sources thus undermined “the notion that the United States or other Western countries ever pledged not to expand NATO beyond Germany.”¹⁵ Adomeit agrees: “the claim that Western leaders had made solid pledges that Nato would not expand eastwards, *including beyond the territory of the former GDR*,” he writes, is “a myth—one, however, that continues to be difficult to dispel, no matter how much evidence may be adduced in refutation.”¹⁶ Spohr also thinks that the claim that in the negotiations on German reunification in 1990 guarantees were given “barring Nato from expansion into Eastern Europe” was “entirely unfounded.”¹⁷ She stresses the point that no “legally binding” pledges were ever made ruling out the extension of NATO’s jurisdiction to Eastern Europe. “If no *de jure* pledges were made,” she writes, “no pledges could have been broken or ‘betrayed.’”¹⁸

So who’s right? The question is worth exploring in part because the way it is answered has a direct bearing on certain much broader historical problems—above all, the question of how the post-Cold War world came to have the shape it now has. The issue also relates to certain fundamental issues of international relations theory, especially the question of whether the struggle for power lies at the heart of international political life. Exploring this issue can also tell us something about how diplomacy works, and, in particular, about the role that assurances, promises, and commitments play in interstate relations. But perhaps the main reason the question is worth examining—and the main reason why it continues to generate so much debate—is that it relates directly to certain basic issues of policy. How it is answered has an obvious bearing on how we should feel about NATO expansion and, indeed, about America’s post-Cold War policy more generally. The historical analysis can provide a kind of springboard for thinking about whether alternative courses of action, more in line with what Baker seemed to be promising in February 1990, should have been pursued—and even about how U.S.-Russian relations today should be managed.

Given its importance and given all the work on this topic that has been done, especially in recent years, the time has come to step back and take a fresh look at the debate. The goal here, however, is not just to provide a synopsis of

¹⁵ Kramer, “Myth of a No-NATO-Enlargement Pledge” ([link](#)), pp. 40-41. Those conclusions have been widely accepted. Zbigniew Brzezinski, of example, in an article he published later that year, wrote that “recently declassified materials clearly refute the oft-made argument that Russia was promised that NATO would not expand.” Zbigniew Brzezinski, “An Agenda for NATO: Toward a Global Security Web,” *Foreign Affairs* 88, no. 5 (September/October 2009) ([link](#)), p. 8.

¹⁶ Adomeit, *Imperial Overstretch* ([link](#)), p. 608 (n. 1531) (emphasis in original text); see also *ibid.*, pp. 655-59. “GDR” stood for “German Democratic Republic,” the official name for Communist East Germany.

¹⁷ Kristina Spohr and Christopher Clark, “Moscow’s Account of NATO Expansion is a Case of False Memory Syndrome,” *The Guardian*, May 24, 2015 ([link](#)).

¹⁸ Spohr, “Precluded or Precedent-Setting?” ([link](#)), p. 51; see also p. 48.

what various scholars and others have had to say about the subject. The aim instead is to assess the arguments which those writers have made, first by showing how broad issues of interpretation turn on fairly narrow historical claims, and then by examining those claims in the light of the evidence, especially the evidence put forward to support them. With that method, the answers emerge not from a direct examination of the evidence but rather in a more indirect way, through an analysis of the arguments other people have made. This, I think, is a powerful way to reach fundamental conclusions about any major historical issue.¹⁹

So the plan here is to focus on the three main arguments critics of the Russian view have made. First, they claim that the assurances applied only to eastern Germany, and not to Eastern Europe as a whole, and that even those assurances were superseded by arrangements worked out with the USSR later in the year. Second, they claim that the assurances in any event were not legally binding, and were thus not binding at all, because they were not embodied in any formal, signed agreement. And, third, they insist that whatever impression the Russians took away from what they had been told, western leaders had not deliberately sought to mislead them. What are we to make of those three basic claims?

Eastern Germany or Eastern Europe?

The assurances the Russians were given in February 1990 might have sounded quite general, but most former officials in the West have claimed that in reality they were meant to apply only to eastern Germany, and a number of scholars have agreed that this was the case.²⁰ That basic contention is supported by two key arguments. It is claimed, first of all, that NATO expansion beyond the Oder-Neisse line—that is, East Germany’s eastern border—was simply not an issue at the time. “There is no evidence,” Zelikow wrote, “that in late January or early February of 1990 anyone—Mr. Genscher, James Baker or Mikhail Gorbachev—was even thinking, much less talking, about the possibility of NATO expansion even further into East-Central Europe.”²¹ Ronald Asmus, another former U.S. official who was given special access to the archives, echoes that point and even extends the time frame a bit: “the reality was that no one in either

¹⁹ The method is explained in some detail in Marc Trachtenberg, *The Craft of International History: A Guide to Method* (Princeton: Princeton University Press, 2006) ([link](#)), chapters 3 and 4.

²⁰ For former officials, see, for example, the references Kramer gives in “The Myth of a No-NATO-Enlargement Pledge,” p. 56 notes 6 and 7. Many other cases could be cited—for instance, Horst Teltschik, “Some Aspects About ‘Sealing the Deal’ on Unification of Germany,” keynote address at a conference held to mark the public release of *Exiting the Cold War*, October 22, 2019 ([link](#)). For scholars who have taken this view, note especially Kramer, “Myth of a No-NATO-Enlargement Pledge” ([link](#)), esp. pp. 48-49; Hannes Adomeit, “East Germany: NATO’s First Eastward Enlargement,” in Anton Bebler, *NATO at 60: The Post-Cold War Enlargement and the Alliance’s Future* (Amsterdam: IOS Press, 2010) ([link](#)), p. 21; and Adomeit, *Imperial Overstretch* ([link](#)), p. 657 (Adomeit, by the way, quotes Matlock himself as arguing along those lines).

²¹ Zelikow, “NATO Expansion Wasn’t Ruled Out,” August 10, 1995 ([link](#)).

Washington or Moscow was thinking about NATO expansion in the spring and fall of 1990.”²² Adomeit takes much the same view. In the spring and summer of 1990, he writes, “it seemed inconceivable that any of the non-Soviet members of the Warsaw Pact in addition to East Germany would one day want to join the Western alliance.”²³ And Kramer says that the Soviet leadership, in particular, was “still highly confident” in January and February of 1990 “that the Warsaw Pact was going to survive.” To support the point, he quotes Eduard Shevardnadze, the Soviet foreign minister at the time, as saying that in 1990 he and Gorbachev “couldn’t believe that the Warsaw Pact could be dissolved. It was beyond our realm of comprehension.”²⁴ Even the governments in the newly liberated countries of what was now called “Central and Eastern Europe,” it is sometimes said, did not raise the question in 1990.²⁵ The implication was clear: if this was a non-issue, in making their statements Baker and other Western leaders could not possibly have had the Warsaw Pact countries in mind.

The second argument is narrower in scope and relates not to what people were thinking at the time, but rather to what was actually discussed in the main East-West meetings at which the alleged promises were made. The basic claim here is that these talks dealt only with Germany and that the whole question of Eastern Europe simply never came up.²⁶ As Spohr puts the point: “In view of later Russian complaints about Western broken promises concerning NATO’s eastern enlargement, it cannot be emphasized enough that the often-quoted Baker-Gorbachev discussions dealt solely with Germany and German territory, not with any other Warsaw Pact country. At no point did the talks address the future exclusion of Eastern Europe (beyond the GDR) from NATO.”²⁷ Again, the implication is clear: if these broader issues relating to Eastern Europe never even came up for discussion, no promises relating to that region could possibly have been made in those talks.

What then is to be made of those arguments? One can begin with the claim that German reunification was the only issue people were really concerned with at the time, that the collapse of the Warsaw Pact was not viewed as a serious possibility, and that an expansion of NATO into Eastern Europe was simply “inconceivable.” And the first point that needs to be made here is that many people at the time did believe that the Warsaw Pact’s days were numbered. Genscher,

²² Ronald Asmus, *Opening NATO’s Door: How the Alliance Remade Itself for a New Era* (New York: Columbia University Press, 2002) ([link](#)), p. 6.

²³ Adomeit, “East Germany: NATO’s First Eastward Enlargement” ([link](#)), p. 20.

²⁴ Kramer comment on Shiffrinson article, *International Security* 42, no. 1 (Summer 2017) ([link](#)), p. 188, and Kramer, “Myth of a No-NATO-Enlargement Pledge” ([link](#)), pp. 45-46. The Shevardnadze interview is available online ([link](#)—the current URL is different from the one Kramer gives in his comment on the Shiffrinson article).

²⁵ Asmus, *Opening NATO’s Door*, p. 6.

²⁶ See, for example, Kramer, “Myth of a No-NATO-Enlargement Pledge” ([link](#)), esp. pp. 41, 45.

²⁷ Spohr, “Precluded or Precedent-Setting?” ([link](#)), p. 24.

for example, clearly recognized that the Pact might fall apart. A phrase in the important speech he gave in Tutzing, Germany, in January 1990—that “*whatever happens to the Warsaw Pact, an expansion of NATO territory to the East, in other words, closer to the borders of the Soviet Union, will not happen*”—strongly suggests that he had that possibility in mind.²⁸ Genscher’s basic idea, moreover, was that the German question could not be resolved on a purely German basis, but rather had to be dealt with in a larger, pan-European framework. Germany had to be reunified in a way that took everyone’s interests into account, and it was for that reason that he placed such great emphasis on using the Conference on Security and Cooperation in Europe (CSCE), the one major pan-European security institution then in existence. (This built on the old idea, often used in German political discourse from the 1960s on, of a “European peace order,” a term Genscher himself used.) And it was quite obvious, even at the time, that he was thinking explicitly about Eastern Europe in this context. Indeed, he wanted to assure the Soviets that the West would not “exploit instability in Eastern Europe for its own advantage”—a calculation that made sense only if this was a real concern at the time.²⁹

As for the USSR, it is by no means clear that Soviet leaders at the time “were still highly confident that the Warsaw Pact was going to survive.” The first piece of evidence Kramer cited to support that claim was the record of a meeting Gorbachev had with key advisers in late January 1990. The Pact as such was not mentioned there, but the issue of Eastern Europe was touched upon twice. At one point, Gorbachev said that “Czechoslovakia, Bulgaria and Hungary are interested in us.” They were, to be sure, going through a difficult period—a “sickness,” he called it—“but they cannot run away far.” Poland, however, was a different story; for economic, political, and historical reasons, the USSR’s ties with that country were much weaker. He briefly returned to the question of the “other socialist countries” later in the meeting. “One has to work with them,” he said. “After all, they’re allies. If we leave them in the lurch, they’ll be picked up by others”—meaning, presumably, the NATO powers (so that possibility did, in fact, occur to him at this time). One gets the

²⁸ Quoted in Sarotte, “Not One Inch Eastward?” ([link](#)), p. 122. Emphasis added.

²⁹ For a summary of Genscher’s views see “Genscher bei Baker in Washington,” *Frankfurter Allgemeine Zeitung*, February 3, 1990, p. 2. “Es handele sich mithin,” the author noted, “um die Bildung kooperativer Formen gemeinsamer Sicherheit, aber nicht um die Ausdehnung eines Bündnissystems zu Lasten eines anderen” [“It is thus a question of working out ways, on a cooperative basis, to provide for everyone’s security, but not a question of the extension of one alliance system to the disadvantage of another”]. Note that the reference was to the broader question of European security, and not to the narrow question of the future military status of eastern Germany. For a similar analysis, see “Genscher erläutert in Washington Vorteile des KSZE-Prozesses für die deutsche Einigung,” *Frankfurter Allgemeine Zeitung*, February 5, 1990, p. 4. Dealing with the German question in the broader CSCE framework would (as the author paraphrased Genscher’s view) give the Soviets the assurance “dass der Westen die Instabilität in Osteuropa nicht zum eigenen Vorteil ausnutze”—this is the phrase quoted in English in the text. Genscher was even clearer in private about the scope of the non-extension assurance. See the evidence cited in Mary Sarotte, “‘His East European Allies Say They Want to Be in NATO’: U.S. Foreign Policy, German Unification, and NATO’s Role in European Security, 1989-90,” in Frédéric Bozo, Andreas Rödder and Mary Elise Sarotte, *German Reunification: A Multinational History* (New York: Routledge, 2017), pp. 77-78.

sense that he had not totally given up on all of Eastern Europe, but that he was by no means “highly confident” that the Warsaw Pact would remain intact.³⁰

A set of notes and diary entries taken by Shevardnadze’s assistant Teimuraz Stepanov-Mamaladze in January and February 1990 was the second source Kramer cited to support that point, but the whole issue of the future of the Warsaw Pact was scarcely discussed in the conversations recorded there. It did, however, come up in Shevardnadze’s February 12 meeting with his British counterpart, Douglas Hurd. “The most important member of the Warsaw Pact,” the Soviet foreign minister was quoted as saying, “is the GDR. If it ceases to exist, Soviet troops will be pulled out of Hungary and Czechoslovakia. Poland also will not want them. What purpose then would the Warsaw Pact have?” This has to be interpreted in light of the fact that the Soviet government had by that point come to view reunification, and thus the disappearance of the GDR, as unavoidable (although it still hoped to draw out the process). Indeed, the British account of that meeting shows a “melancholy and fatalistic” Shevardnadze accepting German reunification as inevitable, predicting that Soviet troops would be withdrawn from a united Germany, and that the Warsaw Pact would then disappear.³¹ A good deal of other evidence, some of which has come to light fairly recently, points in the same direction. The issue, for example, came up at a meeting of the Soviet Politburo on January 2, 1990; the Politburo members, as one of Gorbachev’s main collaborators pointed out, “understood that the ‘socialist camp’ was gone.”³² As Anatoly Chernyaev, one of Gorbachev’s closest advisers, noted in his diary later that month: “Eastern Europe is pushing away from us completely and there is nothing we can do. . . . The Communist Movement is crumbling everywhere.”³³

But all this was fairly clear from the start. As early as September 1989, well before the fall of the Berlin Wall two months later, the Central Intelligence Agency thought that the new democratic government that would soon come to

³⁰ Gorbachev meeting with key advisors, January 26, 1990, in Anatoly Chernyaev and Alexander Galkin, *Michail Gorbatschow und die deutsche Frage: Sowjetische Dokumente 1986-1991* (Munich: Oldenbourg, 2011) ([link](#)), doc. 66, esp. pp. 289-90, discussed in Kramer, “Myth of a No-NATO-Enlargement Pledge” ([link](#)), pp. 44-45, and also referred to in Kramer’s comment on the Shiffrinson article ([link](#)), p. 188.

³¹ Teimuraz Stepanov-Mamaladze diary entry, February 12, 1990, in Stefan Karner, Mark Kramer, Peter Ruggenthaler and Manfred Wilke (and others), eds., *Der Kreml und die deutsche Wiedervereinigung 1990: Interne sowjetische Analysen* (Berlin: Metropol, 2015), p. 166. For the British record: Hurd to Prime Minister Thatcher, February 13, 1990, in *Documents on British Policy Overseas*, series 3, vol. 7, *German Unification, 1989-1990* (London: Routledge, 2010), doc. no. 143 ([link](#)). For Shevardnadze’s pessimistic views on this subject at the time, see also Shevardnadze’s assistant Sergei Tarasenko’s remarks in William Wohlforth, ed., *Witnesses to the End of the Cold War* (Baltimore: Johns Hopkins University Press, 1996) ([link](#)), pp. 112-13, and Anatoly Dobrynin, *In Confidence: Moscow’s Ambassador to America’s Six Cold War Presidents (1962-1986)* (New York: Random House, 1995), p. 632.

³² Vladislav Zubok, “Gorbachev, German Reunification and Soviet Demise,” in Bozo et al., *German Reunification*, p. 92.

³³ Anatoly Chernyaev diary, entry for January 21, 1990, in Chernyaev Diary for 1990, National Security Archive Electronic Briefing Book No. 317, posted May 2010, p. 7.

power in Hungary would probably “become increasingly insistent on the withdrawal of all Soviet troops from Hungarian territory”; in November it thought that “almost certainly” any democratically elected government in that country would “put withdrawal from the Warsaw Pact on the agenda with the USSR” early on.³⁴ By the end of the year, the newspapers were reporting that “the Warsaw Pact ranks may be breaking. Suddenly a Soviet withdrawal from Eastern Europe seems a real possibility.”³⁵ The Hungarians and the Czechs, it soon became clear, were pressing for a pullout of Soviet troops from their territory; on January 19, 1990, the *Washington Post* reported that “Hungarian and Polish leaders said today they want all Soviet troops out of their countries in a year or two, underscoring the increasingly rapid dissolution of the Warsaw Pact as a military alliance.”³⁶ The Soviets soon agreed in principle to remove their military forces from Czechoslovakia and Hungary, and by early March formal agreements to that effect had been signed.³⁷ The meaning of all this was clear enough at the time. The title of an article published in the *Washington Post* on February 4, 1990, just a few days before Baker was due to arrive in Moscow, is a good indicator: “Warsaw Pact—Endgame: In Eastern Europe, the Military Alliance is Dead.”³⁸ As Kramer himself noted in 2005, these events in Eastern Europe “in February and March 1990”—the fact that the Soviets had agreed under pressure to withdraw their forces from Hungary and Czechoslovakia by mid-1991, and the fact that “the future of Soviet military forces in Poland and East Germany also was coming into question”—meant that “there was no longer any doubt that the Warsaw Pact was disintegrating.”³⁹ This is a far cry from his later claim that at the

³⁴ CIA Directorate of Intelligence, “What’s Ahead in Hungary?,” September 22, 1989 ([link](#)); and “Hungary: Reorienting Security Policy,” *National Intelligence Daily*, November 2, 1989 ([link](#)). Both documents were recently released as part of the CIA’s Special Collection on “The Collapse of Communism in Eastern Europe: A Thirty Year Legacy” ([link](#)).

³⁵ Enrico Jacchia, “Soviet Military Tests Brand New Positions,” *Los Angeles Times*, December 3, 1989 ([link](#)).

³⁶ Michael Gordon, “U.S. Says the Kremlin Seeks Deeper Cuts in European Forces,” *New York Times*, January 6, 1990, p. 7 ([link](#)); and Glenn Frankel, “East Europeans Seek Full Pullout of Soviet Troops,” *Washington Post*, January 19, 1990, p. A14 ([link](#)).

³⁷ See “Moscow Agrees to Pull Out Troops, Czechoslovaks Say,” *Los Angeles Times*, January 18, 1990, p. A12 ([link](#)); Celestine Bohlen, “Hungarian Prime Minister Reports That Moscow Has Agreed to Withdraw Its Troops,” *New York Times*, January 24, 1990, p. A12 ([link](#)); “Budapest and Moscow Discussing Troop Pullout,” *New York Times*, February 2, 1990, p. A10 ([link](#)); Jonathan Randal, “Soviet Union Informs Czechoslovakia of Start of Partial Troop Withdrawal,” *Washington Post*, February 10, 1990, p. A20 ([link](#)); “Soviet Union Agrees to Withdraw Troops From Hungary by Mid-’91,” *Los Angeles Times*, March 10, 1990, p. 12 ([link](#)).

³⁸ R. Jeffrey Smith, “Warsaw Pact—Endgame: In Eastern Europe, the Military Alliance is Dead,” *Washington Post*, February 4, 1990, p. C1 ([link](#)).

³⁹ Mark Kramer, “The Collapse of East European Communism and the Repercussions within the Soviet Union” (part 3), *Journal of Cold War Studies* 7, no. 1 (Winter 2005), pp. 11-12 ([link](#)). In another article published that year, Kramer, quoting from the record of a September 28, 1989, Politburo meeting, noted that “Gorbachev and his colleagues were well aware that Poland ‘might eventually leave the Warsaw Pact.’” Mark Kramer, “Gorbachev and the Demise of East European Communism,” in Silvio Pons and Federico Romero, eds., *Reinterpreting the End of the Cold War: Issues, Interpretations, Periodizations* (London: Frank Cass, 2005), p. 191. It is hard to believe that the Soviet leadership felt that with Poland gone the Pact would have much value in any case. Finally, one should note that in an article published six years later, Kramer

time of Baker's visit to Moscow in February "Soviet leaders were still highly confident that the Warsaw Pact was going to survive."

And if the East Europeans sought to leave the Warsaw Pact, didn't that suggest to the Soviet leadership that they might eventually want to join NATO? Gorbachev later said that this simply was not an issue at the time. "The topic of 'NATO expansion,'" he told an interviewer in 2014, "was not discussed at all, and it wasn't brought up in those years. I say this with full responsibility. Not a single Eastern European country raised the issue, not even after the Warsaw Pact ceased to exist in 1991."⁴⁰ But it was not true that "not a single Eastern European country raised the issue" of joining NATO during that period. The idea was in fact broached by East European leaders in meetings with Deputy Secretary of State Lawrence Eagleburger in late February 1990, just days after the Baker assurances had been given; one of them, Hungary's foreign minister Gyula Horn, actually made public comments in this vein at the time.⁴¹ The East Europeans, to be sure, did not press this issue too vociferously. They, like everyone else, were worried that moving ahead too quickly might undermine Gorbachev's position within the Soviet leadership, and that if he fell everything might be lost. But it was clear enough what they had in mind. As Kohl told President Bush in May, the Soviet leader had "big problems. His East European allies say they want to be in NATO."⁴² And indeed Gorbachev himself told French president François Mitterrand that same month that he had told Baker "we are aware of your favorable attitude towards the intention expressed by a number of representatives of Eastern European countries to withdraw from the Warsaw Pact and subsequently join NATO." It was in that context, he said, that he had made his famous suggestion about the USSR joining NATO as well.⁴³

None of this should be viewed as very surprising. Now that the Poles, the Czechs, the Hungarians, and so on, had regained their independence, they were bound to be concerned with their security, since the future course of Soviet policy was very much up in the air. At the very least, as French officials told their German counterparts in February, a

wrote that by end of November 1989, "there was no longer any doubt that the Soviet bloc was irrevocably in tatters." Mark Kramer, "The Demise of the Soviet Bloc," *Europe-Asia Studies* 63, no. 9 (2011) ([link](#)), p. 1581.

⁴⁰ See "Mikhail Gorbachev: I Am against All Walls," interview with Maxim Korshunov, Russia Beyond website, October 16, 2014 ([link](#)).

⁴¹ According to Eagleburger's account, Horn told him "that a new NATO could provide a political umbrella for Central Europe." See Shiffrinson, "Deal or No Deal?" ([link](#)), p. 37. Note also Mary Sarotte, *1989: The Struggle to Create Post-Cold War Europe* (Princeton: Princeton University Press, 2009), p. 140.

⁴² Sarotte, "His East European Allies Say They Want to Be in NATO," p. 82, citing Kohl-Bush meeting, May 17, 1990, p. 4. The full document, released in response to Sarotte's mandatory declassification review request, is available on the George H.W. Bush Presidential Library website ([link](#)).

⁴³ Gorbachev-Mitterrand meeting, May 25, 1990 (excerpts), NSAEBB613, doc. 19 ([link](#)).

“collapse of the Warsaw Pact [was] foreseeable.”⁴⁴ Some new security arrangements for the region thus needed to be brought into being, and it was natural that the East Europeans would want to develop a certain security relationship with the western powers, and with the United States in particular—and they were already beginning, even before Baker’s trip to Moscow, to make noises along these lines.⁴⁵ What that meant, as Sarotte notes, was that the western governments would have to deal with “significant questions about the future of European security and NATO broadly speaking, in Eastern Europe as well as in a newly united Germany.”⁴⁶

And U.S. officials, it turns out, were already thinking about these issues. Sarotte discovered, to her surprise, that the issue arose “as early as February 1990.”⁴⁷ Shiffrinson, for his part, has unearthed some important new archival evidence showing that the whole question of the future security situation in Eastern Europe was on the minds of key officials even earlier. The president’s national security advisor Brent Scowcroft was concerned, as early as December 1989, with a developing “power vacuum” in Eastern Europe; he was therefore in favor (to use his own words) of “a much more robust and constructive U.S. role in the center of Europe.” Two other NSC officials, Robert Hutchings and Robert Blackwill, wrote a memo to Scowcroft the following month making the case for a “strong U.S. presence in Eastern Europe.”⁴⁸ And there are some indications that certain key policymakers were already beginning to think about bringing the East Europeans into NATO. Robert Zoellick, a high State Department official and one of Baker’s main advisors on these matters, later recalled “anticipating the possibility of Poland and others joining NATO,” and Zoellick seems to have been referring to the period in early 1990 when U.S. policy in this area was being worked out.⁴⁹

⁴⁴ Quoted in Sarotte, “His East European Allies Say They Want to Be in NATO,” p. 78.

⁴⁵ This was clear enough at the time. See, for example, an account of the thinking then going on among “military leaders of the Eastern bloc, many of whom have been swept into power within the past two months” published by the *Washington Post*’s national security correspondent Jeffrey Smith just a few days before Baker was due to arrive in Moscow. “In their circle,” Smith reported, “the prospect of a militarily neutral Eastern Europe, or even one with *a web of economic and military ties to the West*, is suddenly a hot topic of discussion.” Smith, “Warsaw Pact—Endgame,” *Washington Post*, February 4, 1990 ([link](#)). Emphasis added.

⁴⁶ Mary Sarotte, “Perpetuating U.S. Preeminence: The 1990 Deals to ‘Bribe the Soviets Out’ and Move NATO In,” *International Security* 35, no. 1 (Summer 2010) ([link](#)), p. 135.

⁴⁷ Mary Sarotte, *1989: The Struggle to Create Post-Cold War Europe*, revised ed. (Princeton: Princeton University Press, 2014), pp. 219, 226; and Sarotte, “Perpetuating U.S. Preeminence,” pp. 116-19.

⁴⁸ Shiffrinson, “Deal or No Deal?” ([link](#)), pp. 36-37.

⁴⁹ Robert Zoellick, “Two Plus Four: The Lessons of German Unification,” *The National Interest* (Fall 2000) ([link](#)), p. 22. See also Robert Zoellick, “An Architecture of U.S. Strategy after the Cold War,” in Melvyn Leffler and Jeffrey Legro, eds., *In Uncertain Times: American Foreign Policy after the Berlin War and 9/11* (Ithaca: Cornell University Press, 2011), pp. 26, 28, 32. Zoellick, in describing the strategy that was worked out as the Cold War was ending in 1989, refers to the role that an “enlarged NATO” played in the emerging U.S. strategic concept: “We definitely rejected the notion that Central and Eastern Europe should be left as a buffer zone between the West and the East.” Again, Zoellick seems to have had the late 1989-early 1990 period in mind.

To be sure, no one could predict with any confidence at that time what U.S. policy in this area would be. The point here, however, is only that one of the key arguments supporting the view that the Baker assurances could not have had anything to do with Eastern Europe—namely, that no one was thinking about these larger issues at the time—is simply not supported by the evidence. Indeed, since the claim had been that the assurances could not possibly have had anything to do with Eastern Europe since no one thought at the time that the Warsaw Pact would soon collapse, the fact that people *did* think the Pact’s days were numbered suggests that the future of Eastern Europe might well have been on people’s minds when the assurances were given in early February—and thus that the assurances might well have related directly to the Warsaw Pact area as a whole.

For the purposes of the analysis here, however, “might well” is not nearly good enough, and it is important to ask whether Baker and Genscher *actually* had Eastern Europe as a whole in mind when the February assurances were given. And it is at this point that the second basic argument made by those who deny that any broad promise had been made comes into play. This is the argument that in the talks on German reunification in 1990 the whole issue of Eastern Europe never came up, so that when Baker and Genscher made statements about NATO’s jurisdiction not moving east, they could only have been talking about eastern Germany, and could not have been referring to Eastern Europe as a whole. Claims to that effect are very common. Thus Kramer, for example, backs up his statement that no promises “about NATO’s role vis-à-vis” the Warsaw Pact area as a whole were ever made by going on to say that “indeed, the issue never came up during the negotiations on German reunification, and Soviet leaders at the time never claimed that it did.”⁵⁰ And Adomeit supports his basic contention that the Baker assurances related only to eastern Germany and not to Eastern Europe more generally by quoting a remark made by Horst Teltschik, one of Kohl’s key advisors at the time, in 2018: “In 1989/90, I participated in all the talks between Federal Chancellor Kohl and Bush, Baker, Mitterrand, Thatcher and Gorbachev at attended various NATO, EU and G7 summits. At no point was there any mention of NATO enlargement beyond Germany. The issue under negotiation concerned the transitional status of the former GDR and Berlin as long as Soviet forces were deployed in the GDR.”⁵¹ Indeed, Gorbachev himself (contradicting statements he had made at other times) made much the same point in 2014. When asked by an interviewer whether he thought his western partners had lied to him in 1990 when they promised that NATO would not expand toward the east, he said that no, that issue never even

⁵⁰ Kramer, “Myth of a No-NATO-Enlargement Pledge” ([link](#)), p. 41.

⁵¹ Teltschik personal communication to Adomeit, January 8, 2018, quoted in Hannes Adomeit, “NATO’s Eastward Enlargement: What Western Leaders Said,” Federal Academy for Security Policy, Security Policy Working Paper no. 3 (2018) ([link](#)), p. 3.

came up in his talks with western leaders. The only issue they dealt with was the question of the extension of NATO's military structures into eastern Germany; the Baker statement, which the interviewer had alluded to, was "made in that context."⁵² So Gorbachev seemed to be conceding the key point here, and it is scarcely surprising that those remarks have been treated as a "smoking gun" by those who claim that the assurances the Russians were given in 1990 related only to eastern Germany, and not to Eastern Europe more generally.⁵³

What then is to be made of that whole line of argument? It is quite true, first of all, that the discussions dealt essentially with Germany, and that the Eastern European countries were rarely even mentioned. But does it necessarily follow that the assurances Baker and Genscher gave related only to eastern Germany? Maybe Eastern Europe was never actually *discussed*, and the assurances were given in the course of a discussion about Germany, but couldn't they still have related to the Warsaw Pact area as a whole? For suppose they *were* meant to relate to Eastern Europe in general, and that the Soviets simply took note of what was said and factored it into their more general thinking about how to proceed. There would in that case have been no need for an actual *discussion* of the issue, but the assurances could still legitimately be interpreted as applying also to the whole area east of the Oder-Neisse line. This, of course, does not in itself prove that the assurances ought to be interpreted in that way. It only means that the fact that Eastern Europe was not discussed does not in itself prove that the assurances related only to the eastern part of the soon-to-be reunified German state. Whether that was the case, or whether the assurances applied to Poland and the other Warsaw Pact states as well, is therefore a matter for analysis. But that issue cannot be dismissed out of hand by simply pointing out that the talks dealt essentially with Germany, and that the whole topic of Eastern Europe never came up for discussion.

What light then does the evidence shed on what the western leaders had in mind when they spoke about not extending NATO's jurisdiction toward the east? In Genscher's case there is little doubt that he was thinking of Eastern Europe as a whole. This was clear enough from his Tutzing speech of January 31, 1990. As was pointed out before, the very wording of his assurance there that "whatever happens to the Warsaw Pact, an expansion of NATO territory to the East, in other words, closer to the borders of the Soviet Union, will not happen" suggests that he was thinking about a possible unraveling of the Warsaw Pact; it also strongly suggests that the assurance was meant to apply to the whole

⁵² See "Mikhail Gorbachev: I am against all walls," interview with Maxim Korshunov, October 16, 2014 ([link](#)).

⁵³ See especially Adomeit, "NATO's Eastward Enlargement" ([link](#)), p. 1. Note also Steven Pifer, "Did NATO Promise Not to Enlarge? Gorbachev Says 'No,'" Brookings Institution blog, November 6, 2014 ([link](#)), and Kirk Bennett, "What Gorbachev Did Not Hear," *The American Interest* (March 12, 2018) ([link](#)). Pifer is a fellow both at the Brookings Institution and at the Center for International Security and Cooperation at Stanford. Bennett was identified at the end of his article as "a retired U.S. Foreign Service Officer who worked principally on issues related to the post-Soviet space."

Warsaw Pact area. His aim in giving this assurance, he went on to point out, was to make it easier for the Soviets to go along with a reunification of Germany on terms the West could accept: “This guarantee will be significant for the Soviet Union and its attitude.” He then again alluded to Eastern Europe as a whole: “The West must be guided by the realization that the changes in Eastern Europe and the German unification process cannot be allowed to compromise Soviet security interests.”⁵⁴ In private meetings at the time with British and Italian leaders, Genscher was even more explicit. He stated categorically to both governments that the non-extension assurances would apply not just to eastern Germany, but rather to Eastern Europe in general.⁵⁵

But what Genscher said during and immediately after his meeting with Baker on February 2, two days after he had given his Tutzing speech, was even more important. The two foreign ministers were both scheduled to visit Moscow about a week later and it was important to make sure that they would be singing the same song. According to an account of the meeting that was sent to Vernon Walters, the U.S. ambassador in Bonn, at Baker’s request, “Genscher confirmed that neutrality for a unified Germany is out of the question. The new Germany would remain in NATO because NATO is an essential building block to a new Europe. In stating this, Genscher reiterated the need to assure the Soviets that NATO would not extend its territorial coverage to the area of the GDR *nor anywhere else in Eastern Europe for that matter.* (He made this point with the press after the meeting.)”⁵⁶ And what exactly had Genscher told the journalists? The official State

⁵⁴ See Sarotte, “Not One Inch Eastward?” ([link](#)), p. 122, and Frank Elbe and Richard Kiessler, *A Round Table with Sharp Corners: The Diplomatic Path to German Unity* (Baden-Baden: Nomos, 1996), p. 79.

⁵⁵ Sarotte, “Perpetuating U.S. Preeminence” ([link](#)), pp. 116-17, and Sarotte, “His East European Allies Say They Want to Be in NATO,” pp. 77-78. The British record of Foreign Secretary Hurd’s February 6, 1990, meeting with Genscher is available online, in NSAEBB613, doc. 2 ([link](#)). For the German record, see Horst Möller, Ilse Dorothee Pautsch, Gregor Schöllgen, Hermann Wentker and Andrea Wirsching, eds., *Die Einbeit: Das Auswärtige Amt, das DDR-Aussenministerium und der Zwei-Plus-Vier-Prozess* (Göttingen: Vandenhoeck & Ruprecht, 2015), doc. 45, esp. p. 232: “Wichtig sei insbesondere die Erklärung, dass die NATO nicht beabsichtige, ihr Territorium nach Osten auszudehnen. Eine solche Erklärung dürfe nicht nur auf die DDR beziehen, sondern müsse genereller Art sein” [“It is particularly important for us to make it clear that NATO does not intend to extend its territory toward the east. Such a declaration must not relate just to the GDR but must be of a general nature.”] He made exactly the same point (that the assurances were not to apply just to East German territory) in a meeting with the Italian prime minister and foreign minister in Rome on February 21, 1990. The record of that meeting is doc. 56 in that volume; the passage in question is on p. 289.

⁵⁶ Seitz to Walters, February 3, 1990 (drafted by Dobbins), NSC Collection, Kanter Files, Subject File, George H.W. Bush Library, College Park, Texas ([link](#)); emphasis added. According to Zelikow and Rice, this was a “read-out” that Zoellick, who had been at the meeting, provided to Dobbins for transmission to Germany. Philip Zelikow and Condoleezza Rice, *To Build a Better World: Choices to End the Cold War and Create a Global Commonwealth* (New York: Twelve, 2019), p. 467 n.124. Baker had this account sent to Ambassador Walters because he wanted to make sure that Kohl had no objection to the course he and Genscher had agreed on; Walters was instructed to confirm with Kohl’s advisor Teltschik that this was the case and report back to Baker immediately. Teltschik’s report on the meeting with Walters was published in Hanns Jürgen Küsters and Daniel Hofmann, eds., *Dokumente zur Deutschlandpolitik: Deutsche Einbeit, Sonderedition aus den Akten des Bundeskanzleramtes 1989/90* (Munich: Oldenbourg, 1998), pp. 756-57. Teltschik’s account made it seem that the non-extension provision related only to East Germany; the phrase “nor anywhere else in Eastern Europe for that matter” was not mentioned.

Department transcript of the press conference shows unambiguously that for Genscher the non-extension assurance was to apply not just to eastern Germany but to Eastern Europe as a whole:

GENSCHER: Perhaps I might add, we were in full agreement that there is no intention to extend the NATO area of defense and the security toward the East. *This holds true not only for GDR, which we have no intention of simply incorporating, but that holds true for all the other Eastern countries.* We are at present witnessing dramatic developments in the whole of the Eastern area, in COCOM, and the Warsaw Pact. I think that it is part (of) that partnership in stability which we can offer to the East that we can make it quite clear that whatever happens within the Warsaw Pact, on our side there is no intention to extend our area—NATO's area—of defense towards the East.⁵⁷

Nor is that all. One can actually watch a clip from a video recording of the press conference containing Genscher's remarks. Genscher speaks in German here (although there are English subtitles), but let me give a literal, although not-too-elegant, translation of that passage into English. "We [meaning he and Baker] agreed," Genscher said, "that the intention does not exist to extend the NATO defense area toward the East. That applies, moreover, *not just to the territory of the GDR, which we do not want to incorporate, but rather applies in general [das gilt ganz generell].*"⁵⁸ One can see Baker standing at his side as he made that statement. It is common, even today, for former officials and other observers to refer to the "vague oral assurances" the Russians were given "by senior Western leaders that NATO would not enlarge"—to the "ambiguous things" that were "said by Western politicians, both in private and in public."⁵⁹ But it is hard to imagine how Genscher could have been more explicit about what he had in mind.⁶⁰

⁵⁷ Transcript of Genscher-Baker press conference, February 3, 1990 ([link](#); [alt. link](#); [second alt. link](#)); emphasis added. The transcript is also available through LexisNexis. The first version of the transcript is linked from two Russian Wikipedia entries ([link](#))—the quotations given there are from the English original—suggesting that at least some Russians interested in these issues are well aware of what was said: "Вопрос о существовании договорённости о нерасширении НАТО на восток" ([link](#)), n. 18; and "Обсуждение:Расширение НАТО" ([link](#)), n. 18.

⁵⁸ A clip with English subtitles is available on YouTube ([link](#); [alt. link](#)). This was taken from the television program *Weltspiegel*, broadcast on the German television channel ARD on March 9, 2014. [Link](#) to the full program, in German without English subtitles; the passage in question begins at 2 minutes, 30 seconds, into the video; [alt. link](#). "Wir waren uns einig," Genscher said, "dass nicht die Absicht besteht, das NATO-Verteidigungsgebiet auszudehnen nach Osten. Das gilt übrigens *nicht nur in Bezug auf das Gebiet der DDR, die wir da nicht einverleiben wollen, sondern das gilt ganz generell.*" Emphasis added in the transcription and in the translation in the text.

⁵⁹ Rodric Braithwaite, "The Soviet Collapse and the Charm of Hindsight," in Hamilton and Spohr, *Exiting the Cold War* ([link](#)), pp. 90-91.

⁶⁰ The basic point here—that in the press conference Genscher, speaking for both himself and Baker, explicitly noted that the non-extension assurance applied not just to East German territory but was entirely general—is, astonishingly, overlooked in many scholarly works on the subject. Zelikow and Rice quoted Genscher's comment there that he and Baker "were in full agreement that there is no intention to extend the NATO area of defense and security towards the East." But the next sentence in the transcript—"this holds true not only for GDR, which we have no intention of simply incorporating, but that holds true for all the other Eastern countries"—was not quoted in this passage. Philip Zelikow and Condoleezza Rice, *Germany Unified and Europe Transformed: A Study in Statecraft* (Cambridge, MA: Harvard University Press, 1995) ([link](#)), p. 176. Relying on that passage, Spohr, for example, seemed unaware of the fact that Genscher, in that statement, had made it very clear that the assurance applied to Eastern Europe as a whole. See Spohr, "Precluded or

Genscher's remarks are important not just because they confirm what was already clear enough from the Tutzing speech—namely, that for the German foreign minister the “guarantee” (to use the term he himself had used at Tutzing) was to apply to the Warsaw Pact area as a whole. They are even more important for what they reveal about Baker's attitude. For Genscher had made it clear that he was speaking for both himself and Baker—the use of the word “we” is quite significant in this regard—and that point is underscored by the fact that Baker was standing at his side as he uttered those words. It is also worth noting that in the cable to Walters, Genscher's “nor anywhere else in Europe” remark was quoted, and nothing was said to the effect that the U.S. government did not share that view. Nor did the State Department issue a clarification pointing out that Genscher had been speaking only for himself when he had made that remark and that the U.S. government did not necessarily share his views in that regard. It is thus reasonable to conclude that Baker agreed that the non-extension assurances applied to the whole Warsaw Pact area, especially because giving such assurances was in line with what from the start had been the secretary of state's basic approach to the question.⁶¹

The assurances Baker and Genscher gave the Soviet leaders during their back-to-back visits to Moscow about a week later have to be interpreted in the light of what had been said on February 2nd. And that would be true even in the unlikely event that the point Genscher had made at the press conference about how the assurances applied to the Warsaw Pact area in general had not been noted by Gorbachev and Shevardnadze. Even if that were the case, the question is whether Russian officials (and certain western scholars and former officials) were justified in interpreting the assurances years later as relating to Eastern Europe as a whole, and the answer to that question depends solely on what Baker and Genscher were referring to at the time.

What, then, did Baker and Genscher tell the Soviet leaders in Moscow on February 9 and 10? The key question here, once again, is whether, when seen in context, the assurances first Baker and then Genscher gave related specifically to eastern Germany or to Eastern Europe more generally. And the first point to note here is that the context in which those assurances were made was, as a rule, quite general. Baker, in his meetings with Gorbachev and Shevardnadze, was not dealing with the relatively narrow issue of the military status of what was still East German territory, but rather with the

Precedent-Setting?” ([link](#)), p. 18; and Kristina Spohr, *Post Wall Post Square: Rebuilding the World after 1989* (London: Collins, 2019), p. 218. Kramer went a bit further. Genscher, he wrote, “said that he and Baker [at the press conference] ‘were in full agreement that there is no intention to extend the NATO area of defense and security toward the East,’ *meaning eastern Germany*.” Kramer, “Myth of a No-NATO-Enlargement Pledge” ([link](#)), p. 47; emphasis added. But the transcript and the cable to Walters show unambiguously that Genscher did not mean just eastern Germany, but rather had the entire Warsaw Pact area in mind.

⁶¹ Zelikow and Rice point out that Baker's preference was for “a trade of Soviet tolerance in Eastern Europe for U.S. willingness not to exploit such a new environment to threaten Moscow.” Zelikow and Rice, *Germany Unified*, p. 27.

much more fundamental question of what Germany's place in the post-Cold War world should be. In his meeting with Shevardnadze on the morning of February 9, Baker referred, for example, to the importance of anchoring the reunified German state in NATO; otherwise Germany "would undoubtedly acquire its own independent nuclear capability." He understood, however, that if Germany remained part of NATO, "there would, of course, have to be iron-clad guarantees that NATO's jurisdiction or forces would not move eastward. And this would have to be done in a manner that would satisfy Germany's neighbors to the east."⁶² It was only later in the meeting that he put forward the idea that the eastern part of Germany might be demilitarized and that NATO forces might not be stationed there. This shows, incidentally, that Baker had no problem talking explicitly about East German territory when he wanted to.

That meeting was followed by a longer meeting with both Gorbachev and Shevardnadze that afternoon, and the Russian and the American accounts of that meeting are readily available. They both have Baker saying much the same thing, so one can be fairly sure that those accounts are accurate. Again, the assurances were given in the context of a discussion of the fundamental issue of whether Germany should become a neutral state or should remain in NATO. Baker again pointed out the problems that might develop if Germany left NATO; again, he stressed the point that a neutral Germany would not necessarily be a peaceful Germany, and that if the Germans were no longer protected by the United States they might feel they had to develop a nuclear capability of their own. His basic pitch was that the Soviets should therefore allow Germany to remain in NATO. He understood that that might be hard for them to accept, because it implied a certain shift in the east-west balance of power, so to make it easier for them to go along with the idea he wanted to make it clear to them that that shift would not go too far—or at least that is what can be inferred from the fact that right after laying out his general views about why it was so important for Germany to remain in NATO he outlined the assurances the Soviets would get if they went along with the idea: "We understand the need for assurances to the countries in the East. If we maintain a presence in a Germany that is a part of NATO, there would be no extension of NATO's jurisdiction for forces of NATO one inch to the east."⁶³

Baker returned to the same point later in the meeting, this time raising it in the guise of a question, and this part of the record is of considerable interest. He was talking about the "wave of emotion" in Germany that would soon make the country's internal unification an accomplished fact. But it was important "for the sake of peace in the world to do

⁶² Baker-Shevardnadze meeting, February 9, 1990, NSAEBB613 ([link](#)), document 4.

⁶³ Gorbachev-Baker meeting, February 9, 1990 (U.S. notes), NSAEBB613 ([link](#)), document 5, p. 6.

everything possible in order to develop external mechanisms that will secure stability in Europe.” He then again brought up the basic issue with Gorbachev:

Baker: I want to ask you a question, and you need not answer it right now. Supposing unification takes place, what would you prefer: a united Germany outside of NATO, absolutely independent and without American troops; or a united Germany keeping its connections with NATO, but with the guarantee that NATO’s jurisprudence [sic—he probably said “jurisdiction”] or troops will not spread east of the present boundary?

Gorbachev: We will think everything over. We intend to discuss all these questions in depth at the leadership level. It goes without saying that a broadening of the NATO zone is not acceptable.

Baker: We agree with that.

Gorbachev: It is quite possible that in the situation as it is forming right now, the presence of American troops can play a containing role. It is possible that we should think together, as you said, about the fact that a united Germany could look for ways to rearm and create a new Wehrmacht, as happened after Versailles. Indeed, if Germany is outside the European structures, history could repeat itself. The technological and industrial potential allows Germany to do this. If it will exist within the framework of European structures this process could be prevented. All of this needs to be thought over. Much in what you have said appears to be realistic. Let us think. It is impossible to draw a conclusion right now.⁶⁴

Again, it is important to note the context in which this assurance was given. Baker was talking about the general issue of “security in Europe.” He was not dealing with the relatively narrow issue of the future military status of what was now East German territory. Or to put the point another way: if Baker *had* been talking about the Warsaw Pact area as a whole, what he said would have made perfect sense in this context. Baker’s remarks in a press conference he held after his meetings with Gorbachev and Shevardnadze are another important brushstroke in this general picture. Baker had made the point to the Soviet leaders, he told the reporters, that it was his government’s view that the “external aspects” of the German unification process “should take place with due regard for the security concerns of Germany’s neighbors,” that he had “indicated that the United States does not favor neutrality for a Unified Germany; that we favor continued membership in, or association with, NATO and that we also feel that there should be no extension of NATO forces eastward in order to assuage the security concerns of those of the East of Germany.”⁶⁵ Again, there was no attempt to make it clear that he was just talking about what was still East German territory. And assuaging the security concerns of those to Germany’s east, meaning above all the USSR, could easily have been taken as ruling out NATO’s expansion into countries like Poland.

⁶⁴ Gorbachev-Baker meeting, February 9, 1990 (Soviet notes), NSAE6613 ([link](#)), doc. 6, pp. 8-9.

⁶⁵ Baker press conference, February 9, 1990 ([link](#)).

So, in short, given that the focus of the February 9 discussions was on the “external aspects” of German reunification, it was natural that Baker and the Soviet leaders would be concerned above all with the impact German reunification would have on the structure of power in Europe as a whole; since the non-extension assurances were given in that context, they should be understood broadly, as ruling out developments that would have too drastic an effect on the European balance, and that included an eventual extension of NATO’s jurisdiction into Eastern Europe in general. This point was underscored by the fact that Baker recognized that the Soviets were “very nervous about developments in Central Europe” (a term that was coming to refer mainly to Czechoslovakia, Hungary, and Poland); one of the things he could give them in exchange for a willingness on their part to accept the reunification of Germany on western terms was thus a promise that NATO would not expand into that area.⁶⁶ Given their “nervousness,” such an assurance, it could be assumed, would have real value in their eyes.

If that was Baker’s basic message on February 9, it was certainly reinforced by Genscher, who met with the Soviet leaders the very next day. In giving his assurance that if the united Germany remained in NATO there would be no extension of the NATO area toward the east, he used the same *ganz generell* (“in general”) phrase he had used in the joint press conference and on other occasions. The question of whether the unified German state would remain in NATO was a difficult issue, he told Shevardnadze, but it was better for Germany’s neighbors that Germany remain integrated in European structures, and he clearly included NATO in that category. And, as with Baker, it was in that context that he gave his non-extension assurance: “For us, it’s a firm principle: NATO will not be extended toward the East. . . . Furthermore, with regard to the non-extension of NATO, that applies in general [*ganz generell*].”⁶⁷ It is quite clear that by “in general” he meant that the assurance applied to Eastern Europe as a whole and not just to eastern Germany—a point made in the *Spiegel* article that presented this new piece of evidence in 2009 and was also noted by Spohr in her 2012 article.⁶⁸ Indeed, Spohr went on to present other evidence that showed that Genscher had the whole of Eastern Europe in mind at this time. “It is noteworthy,” she wrote, that Genscher, in his meeting with the Soviet foreign minister:

invoked his Potsdam speech, made three days before (which Shevardnadze claimed to have read and to have forwarded to Gorbachev). In Potsdam Genscher had suggested that in the face of East European developments, specifically the Czechoslovak and Hungarian demands for Soviet troop withdrawals, “NATO could make a major contribution to stability if it declared

⁶⁶ Seitz to Walters, February 3, 1990 ([link](#)).

⁶⁷ “Für uns,” Genscher said, “stehe aber fest: Die NATO werde sich nicht nach Osten ausdehnen. . . . Was im übrigen die Nichtausdehnung der NATO anbetreffe, so gelte dies ganz generell.” Genscher-Shevardnadze meeting, February 10, 1990, in Andreas Hilger, ed., *Diplomatie für die deutsche Einheit: Dokumente des Auswärtigen Amtes zu den deutsch-sonjetischen Beziehungen 1989/90* (Munich: Oldenbourg, 2011), p. 102.

⁶⁸ Klussman et al, “Absurde Vorstellung” ([link](#)), p. 47, ([link](#) to English translation); Spohr, “Precluded or Precedent-Setting?” ([link](#)), p. 30.

unambiguously: Whatever happened in the Warsaw Pact, an extension of NATO territory to the East, that is to say closer to the borders of the Soviet Union, will not take place.”⁶⁹

Given that Genscher had evidently reached agreement with Baker on a common policy a week earlier, these statements should be interpreted as reflecting not just Genscher’s but also Baker’s thinking. It is hard to imagine that Genscher would have made such explicit statements unless he had gotten the distinct impression from his long conversation with Baker a week earlier that the U.S. secretary of state saw things in much the same way. So the basic conclusion here seems inescapable: as far as Genscher and Baker were concerned, the assurances were meant to apply not just to eastern Germany, but rather to the Warsaw Pact area as a whole.

Now, all that may be true, but couldn’t it be said that whatever was promised in February was superseded by later developments? The answer is: yes, but only in part. If the assurances applied to the Warsaw Pact area in general, they applied in particular to what was then East German territory, and, insofar as they applied to that area, they clearly were superseded by the arrangements worked out in the “Two Plus Four” negotiations later that year and codified in the Two Plus Four treaty signed in September.⁷⁰ That part of the general assurance had been “hived off” and dealt with separately. But with that one exception the February assurances remained intact; insofar as they related to the rest of the Warsaw Pact area, they were not affected by, or superseded by, anything that was agreed to in the talks on German reunification.

But maybe they *were* superseded by concessions the Soviets made elsewhere at that time? Sarotte, in fact, has argued that at the Washington summit conference with Bush at the end of May, “Gorbachev, in response to a direct question from Bush, allowed that nations could choose which military alliances they would join”; getting the Soviet leader to accept that general principle was, in her view, “a significant U.S. accomplishment.” And, indeed, if Gorbachev *had* agreed, as a matter of principle, that Poland and the other former east-bloc countries had the right to join NATO, that would certainly have been an extraordinary concession on his part. But the bulk of the evidence suggests that he had not actually made such a far-reaching concession at this point. The memoir literature and most of the early interview-based accounts made it clear that Gorbachev’s concession related only to the question of whether the soon-to-be-reunified German state had the right to be in NATO if it so chose, and the new sources that became available years later—especially the Soviet notes of the meeting at which the concession was made—confirm that this was the case. And one should also

⁶⁹ Spohr, “Precluded or Precedent-Setting?” pp. 30-31. An English translation of Genscher’s Potsdam speech, “German Responsibility for a Peaceful Order in Europe,” was published in Adam Rotfeld and Walther Stützle, eds., *Germany and Europe in Transition* (Oxford: Oxford University Press, 1991); the key passage is on p. 23.

⁷⁰ “Two Plus Four” referred to the two Germanies plus the four Powers that had retained rights stemming from the defeat of Germany in 1945: the United States, the USSR, Britain and France.

note that while Gorbachev's acceptance at the Washington summit of the principle that the Germany had the right to stay in the western alliance came to be seen as a major breakthrough, it was not clear at the time that Gorbachev's remarks even in that regard reflected a fundamental shift in policy. For over a month after the conference U.S. officials were not sure how solid that concession was. They treated it very cautiously and did what they could to nail it down, but it was not until July, after a meeting Kohl had with Gorbachev in southern Russia, that they were sure that the Soviets had agreed definitively that Germany could remain in NATO. But none of this had anything to do with Eastern Europe. Gorbachev, at that point, was willing to allow the East Europeans to leave the Warsaw Pact if they so chose, but he did not say explicitly that they could join NATO.⁷¹

So what general conclusions are to be drawn from the analysis in this section? We were concerned here with the argument that the February assurances applied only to eastern Germany and not to Eastern Europe as a whole, an argument supported in the literature by two key claims. It was said, first of all, that, in issuing the assurances, Western leaders could not possibly have had the whole Warsaw Pact area in mind, because NATO expansion into that area was simply not an issue at the time. Indeed, the argument ran, the Soviets in particular were "highly confident" that the Warsaw Pact would survive. But that argument, it turned out, did not stand up in the light of the evidence: it was quite clear by February 1990 that the Pact was falling apart and that the East Europeans were already thinking about new security arrangements involving the NATO powers—and some U.S. officials had already begun to grapple with the problem. And much the same point applied to the second key claim made by those who say the assurances related only to the territory of what was then the GDR—the claim that since the talks at which the assurances had been given dealt only with Germany and the question of Eastern Europe never even came up for discussion, no promises relating to that region could possibly have been made at those meetings. My argument here was that even if the Warsaw Pact area was not actually *discussed* in the talks, the non-expansion assurances might well have applied to that area as a whole; and that one could see what Genscher and Baker had in mind both by looking closely at the records of their meetings with the Soviet leaders and also by looking at what they said in other venues, especially at the joint press conference. The conclusion here was that the assurances were meant to apply to the Warsaw Pact area as a whole and not just to eastern Germany. And insofar as the assurances related the area beyond the GDR's eastern border they were not superseded by anything agreed to at the Washington summit.

⁷¹ See Sarotte, "Perpetuating U.S. Preeminence" ([link](#)), p. 126, and also Mary Sarotte, "The Convincing Call from Central Europe: Let Us Into NATO: NATO Enlargement Turns 20," *Foreign Affairs* blog, March 12, 2019 ([link](#)). For further discussion see Appendix I.

What all this means is that the February assurances, to the extent that they were binding at all, remained binding in the post-Washington summit period—but only to the extent they related to the area east of the Oder-Neisse line. As a German foreign office official put it at a March 1991 meeting with his British, French, and American counterparts: “We had made it clear during the 2+4 negotiations that we would not extend NATO” into Eastern Europe, so “we could not therefore offer membership of NATO to Poland and the others.”⁷² For at least by some officials in the West, the assurances given a year earlier were still taken seriously.

A Binding Promise?

Were the February assurances ever really binding on the governments that had given them? Spohr emphasizes the point that no legally binding pledges were made, in the sense that no written agreements barring NATO from expanding into Eastern Europe were ever signed. And her assumption is that if the assurances were not *legally* binding, they were really not binding at all.⁷³ Sarotte does not go quite that far, and sometimes she suggests that the whole problem was rooted in a misunderstanding: the Soviets believed that purely verbal understandings were good enough, but the Americans felt that if a written agreement was not signed they had not really committed themselves to anything. But at other times she seems to lean toward that American view: the Soviets might have gotten the Americans and the Germans to give them written guarantees that NATO would not expand into Eastern Europe, but they failed to do so and as a result no deal was agreed to. “For a moment in February 1990,” she concludes, “the Soviet Union could have struck a deal with the United States, but it did not.” Gorbachev failed to secure anything in writing “and the window closed. Germany united and NATO began to move eastward.”⁷⁴ The basic idea here—that the February assurances, being purely verbal, were not legally binding and were therefore not binding at all—is, in fact, very common. I myself heard Henry Kissinger making that point at a conference at Yale in April 2017.

But even if one accepts the view that only signed agreements are legally binding—and that view is more problematic than one might think⁷⁵—the real issue here has little to do with international law. Everyone knows that no written agreements relating to Eastern Europe were ever signed, and yet this remains a live issue because the real charge is

⁷² Foreign and Commonwealth Office to British embassy in Washington, March 7, 1991, on Quadripartite Meeting of Political Directors, Bonn, 6 March, on Security in Central and Eastern Europe ([link](#)), Prem 19/3326, British National Archives, Kew [document provided by Joshua Shiffrin].

⁷³ Spohr, “Precluded or Precedent-Setting?” ([link](#)), pp. 48, 51.

⁷⁴ Sarotte, “Not One Inch Eastward?” ([link](#)), p. 140.

⁷⁵ The issue of whether verbal commitments can be binding under international law is discussed in Appendix II.

that what Baker himself referred to in his February 9 meeting with Gorbachev as “assurances” were *morally* binding or *politically* binding, and that the West reneged on *verbal* promises its leaders had made at that time. And no one really thinks that the words high officials utter do not commit them to anything until they are put into a signed agreement; if that were the case, meaningful exchanges between top officials would scarcely be possible. The assumption has to be that what is said at high-level meetings carries real political weight; that high officials can, at least to a certain extent, believe what they tell each other in such venues; and that they are not free to just walk away from the verbal assurances they give by claiming that they are not legally binding because no agreement had been signed. For otherwise purely verbal exchanges could not play anything like the role they do in international political life.

The general point here is quite familiar, even from everyday life, and to support it many historical examples could be cited. Shiffrinson, for example, in arguing that purely verbal assurances are often taken as binding, points to the example of the Cuban missile crisis.⁷⁶ This, in fact, is a good case in point: although no formal agreement was ever signed, President John Kennedy certainly did view his pledge to withdraw the Jupiter missiles from Turkey as binding. The U.S. government, moreover, and the USSR as well, considered the understanding they had reached at the end of the crisis about future Soviet military deliveries to Cuba to be binding even years later, even though it had not been codified in an unambiguous, signed, written agreement.⁷⁷ But probably the best case in point relates to the fact that verbal assurances given in 1945 relating to Western access to Berlin through the Soviet zone were taken as binding. President Franklin Roosevelt did not insist on negotiating a formal, written guarantee of U.S. access rights. Like Gorbachev in 1990, Roosevelt seems to have felt that the Soviet-American relationship needed to be based on mutual trust, and that to insist on written guarantees would be taken as evidence of distrust and might make it harder to develop the kind of relationship he wanted.⁷⁸ As it turned out, U.S. access rights were assured by a verbal agreement that the American and British commanders in Germany had worked out with their Soviet counterpart on June 29, 1945. That was followed about ten days later by a written agreement relating not to Berlin but to Vienna; but that agreement was thought to cover Berlin as well, “since by repeated statements the Soviet representatives had asserted that these principles applied to Berlin as well as

⁷⁶ Shiffrinson, “Deal or No Deal?” ([link](#)), p. 18.

⁷⁷ See David Newsom, *The Soviet Brigade in Cuba: A Study in Political Diplomacy* (Bloomington: Indiana University Press, 1987), pp. 25-26. Newsom was Under Secretary of State for Political Affairs at the time of the 1979 Soviet “combat brigade” in Cuba affair.

⁷⁸ On Roosevelt and Berlin, see Robert Murphy, *Diplomat Among Warriors* (Garden City, NY: Doubleday, 1964), pp. 261-63.

Vienna.”⁷⁹ Although there was no written agreement relating specifically to Berlin, the Americans took that Soviet promise as binding, and indeed seemed willing at times to use military force to uphold their right to maintain access to their part of the city.

The real issue, then, is not whether verbal assurances are in any sense binding, but rather what determines just how binding they are. And when one thinks about this issue, a number of factors come to mind. Most people would agree that the more explicit an assurance is, the more binding it is. It is commonly assumed, moreover, that assurances that are given as part of a deal—even a tacit bargain—are more binding than those issued unilaterally. A third factor relates to context: if the assurance is a “one-off,” to use a British expression, it is generally viewed as less binding than if it is part of a whole web of assurances, made at different times by different people. I am not saying that a statement has to rank high in all three areas to be considered binding. One could take the view that it does not have to rank high in all or even any of those areas for it to be seen in that way. The view one takes depends on one’s theory of what constitutes a binding commitment, an issue that is ultimately beyond the reach of historical analysis. But one can still throw some light on the issue by looking at how well the February assurances measure up in each of those three areas.

And the basic finding here is that they rank high in the first and third areas, but not nearly as high in the second. With regard to the first factor, it is clear that while the assurances were not as explicit as they might have been, they were far more explicit than most people who have written on the subject seem prepared to acknowledge. This is particularly true of what was said at the joint press conference on February 2: Genscher, with Baker standing at his side, told the reporters (according to the official transcript) that he and Baker “were in full agreement that there is no intention to extend the NATO area of defense and the security toward the East” and that “this holds true not only for GDR, which we have no intention of simply incorporating, but that holds true for all the other Eastern countries.” And Genscher was perhaps even more explicit in his meeting with Shevardnadze a week later: “For us, it’s a firm principle: NATO will not be extended toward the East. . . . With regard to the non-extension of NATO, that applies in general.”⁸⁰

But what can be said about the second factor—that is, the question of whether anything like a deal was reached? This question is of fundamental importance for our purposes, because if the assurances had been given in exchange for a

⁷⁹ For this whole amazing story, see William Franklin, “Zonal Boundaries and Access to Berlin,” *World Politics* 16, no. 1 (October 1963) ([link](#)), esp. pp. 30-31. Franklin was the State Department Historian at the time this article was published. The document reporting the agreement, Murphy to Secretary of State ad interim, June 30, 1945, was published in U.S. Department of State, *Foreign Relations of the United States: The Conference of Berlin (The Potsdam Conference)*, part 1 (Washington: GPO, 1960) ([link](#)), pp. 135-37.

major Soviet concession, then most people would view them as more binding than if this had not been the case. This is why the question of whether there had been a deal has been the focus of so much debate. And the first issue we need to concern ourselves with here is the question of what the “deal,” insofar as one existed, was supposed to be about. It is often claimed that in exchange for the non-extension assurances the Soviets agreed to permit the unification of Germany, but that was not the case at all.⁸¹ The real “deal” that was put on the table in February had to do not with whether Germany would be reunified, but rather on what terms. The Soviets by that point had already made it clear that they were prepared to accept the reunification of Germany.⁸² The “deal” Baker sketched out for them was that if they were willing to allow the reunified German state to remain in NATO, then he would promise in return that NATO would not expand to the east. One can argue, of course, that this was a contingent offer which automatically became a “deal” as soon as the Soviets agreed later that year that Germany as a whole could remain in the Western alliance. But that argument strikes me as a little forced. The connection between the non-expansion assurances and the decision to allow the reunified German state to remain in NATO was a bit too tenuous to say that a bargain had been struck. To be sure, U.S. officials understood that the two questions were linked. Baker, for example, made exactly that point at a press conference following his meetings with the Soviet leadership on February 9. “What I’m saying,” he told the reporters, “is that we will have under the circumstances of continued German membership in NATO, you will have the GDR as a part of that membership. Now, that’s clearly, at least in the eyes of—in the position of the United States—not likely to happen without there being some sort of security guarantees with respect to NATO’s forces moving eastward or the jurisdiction of NATO moving eastward.”⁸³ But to say that the Americans understood the two issues were related is not quite the same as saying that a deal tying the two issues together was actually struck.

The real question here, in any event, has to do not with U.S. views but rather with Soviet perceptions. Did the Soviets, in fact, understand what they were being offered? Did they understand, in particular, that the assurances they were being given related not just to eastern Germany but rather to Eastern Europe as a whole? Since we do not have particularly good direct evidence on this subject, we need to begin by considering what it would have been reasonable for

⁸¹ According to former Secretary of Defense Robert McNamara, for example, “the United States pledged never to expand NATO eastward if Moscow would agree to the unification of Germany.” Quoted in Kramer, “Myth of a No-NATO-Enlargement Pledge,” p. 39.

⁸² See, for example, Norbert memo for Genscher, January 31, 1990, in Möller et al., *Die Einheit*, doc. 44 (and esp. n. 1 on p. 225), and also Adomeit, *Imperial Overstretch* ([link](#)), pp. 583-86. Bush himself understood at the end of January that “Soviet statements [were] now recognizing unification will happen but making clear the *terms* will be the issue.” Quoted in Zelikow and Rice, *Germany Unified*, p. 172; emphasis in original text. See also *ibid.*, pp. 181, 189.

⁸³ Baker press conference, February 9, 1990 ([link](#)), quoted in part in Shiffrinson, “Deal or No Deal?” ([link](#)), pp. 23-24.

Gorbachev and Shevardnadze to conclude, given what was known to them at the time. One would imagine, given that Baker and Genscher were due to come to Moscow the following week to discuss these issues, that the Soviet leaders would have paid close attention to what the two Western foreign ministers had been saying in public, and especially to what Genscher had said at the February 2 joint press conference about the non-extension assurance being general in nature and not applying just to eastern Germany. Those remarks would have been of particular interest since Genscher had said that he was speaking both for himself and for Baker, a point underscored by the fact that Baker was standing right beside him as he spoke. They would have noted what Genscher said in his Potsdam speech, given just after his meeting with Baker and just before his visit to Moscow.⁸⁴ That speech would have been important, not because it contained anything new—the key passage there was almost identical to the corresponding passage in the Tutzing speech—but because it was delivered after Genscher had (presumably) agreed with Baker in Washington on a common policy, and thus revealed something about what U.S. policy was at that point. And what Baker said on February 9, both in his meetings with Shevardnadze and Gorbachev and at the press conference he gave after those meetings, also strongly suggested that the assurances related not just to eastern Germany but to Eastern Europe as a whole. Neither the way those assurances were phrased nor the context in which they were given suggested that they were meant to apply only to what was still East German territory; if Baker had wanted them to apply only to eastern Germany, it would have been very easy for him to have made that clear. And Genscher's explicit statement in his meeting with Shevardnadze on February 10 that the non-extension assurance was *ganz generell* in its scope—meaning that it was meant to apply to the Warsaw Pact area in general—would have been important also because it could reasonably be assumed that after his meeting with Baker, the German foreign minister was speaking not just for himself, but at least to a certain extent for the U.S. government as well. All this, one imagines, would have been noted by the Soviet leaders. Indeed, Shevardnadze (as Spohr had pointed out in one of the passages quoted above) told Genscher directly at their February 10 meeting that he had read the Potsdam speech and had passed it on to Gorbachev. Given what they knew was going on in Eastern Europe and given that they were bound to be concerned with the future of that region, they would naturally, one presumes, have paid close attention to what was said or implied on all those occasions about the future of the Warsaw Pact area—an issue, as Kramer himself has shown, that was beginning to be a major concern for top Soviet officials at precisely this point.⁸⁵ And if Gorbachev and Shevardnadze understood these things and interpreted the assurances as applying to that whole area, then that would inevitably have

⁸⁵ Kramer, “Collapse of East European Communism,” part 3 ([link](#)), p. 11.

affected their policy on the Germany-in-NATO question; their concessions on that issue would have been made in that context; and all that would suggest that something like a “deal” had been reached.

This sort of speculation about how Baker’s and Genscher’s statements “must have” been perceived by the Soviet leaders, however, can only take us so far. Solid conclusions need to be based on hard empirical evidence, and the fundamental problem here is that there is little evidence to show that Gorbachev and Shevardnadze at the time actually saw them as applying to Eastern Europe as a whole. To be sure, Gorbachev sometimes took the view in later years that Baker and others had assured him “that NATO would not move one centimetre to the east,” and that “the Americans did not abide by this assurance”—indeed, that “perhaps they even rubbed their hands in glee at how well they had hoodwinked the Russians.”⁸⁶ But he sometimes took exactly the opposite view. In 2014, for example, he argued that the non-extension assurance had applied only to what was then still East German territory and that even that was superseded by the Two-Plus-Four treaty later in the year.⁸⁷ As noted above, that latter admission is sometimes taken as a kind of “smoking gun”: if even Gorbachev himself was finally admitting that the February assurances applied only to eastern Germany, how could anyone still claim that they applied to Eastern Europe as a whole?

That 2014 statement, however, is not quite as conclusive as a number of writers would have it. For one thing, it has to be understood in the light of the fact that Gorbachev was often criticized within Russia for “being gullible and naïve and blithely accepting the assurances instead of demanding a binding legal guarantee of non-enlargement,” and claiming that Eastern Europe was not even an issue at the time might have been an easy way for him to respond to that criticism.⁸⁸ The evidentiary value of that statement also needs to be assessed in the light of the fact (as noted above) that his claim there that “not a single Eastern European country raised the issue, not even after the Warsaw Pact ceased to exist in 1991” was simply incorrect; indeed (as was also shown above) he himself was fully aware in 1990 of the East Europeans’ interest in joining NATO. That in itself shows that his testimony there is not totally reliable. This does not mean, of course, that the 2014 statement has no evidentiary value whatsoever; it simply means that its value as a source is more limited than one might think. And its limited value becomes even clearer given that it has to be weighed against all the evidence pointing in

⁸⁶ Gorbachev interview with the German tabloid *Bild* in April 2009, quoted in Adomeit, “NATO’s Eastward Enlargement” ([link](#)), p. 1. See also “Gorbachev: U.S. wants new cold war,” *rt.com*, May 7, 2008 ([link](#)); and Gorbachev interview with *Bild*, April 14, 2017 ([link](#) to original German text) ([link](#) to English translation). Some Gorbachev comments along these lines are quoted in n. 3 above.

⁸⁷ See “Mikhail Gorbachev: I am against all walls,” interview with Maxim Korshunov, October 16, 2014 ([link](#)). Note also the extract from a book Gorbachev published (in Russian) in late 2018, quoted in Palazhchenko, “Gorbachev and the NATO Enlargement Debate,” in Hamilton and Spohr, *Exiting the Cold War* ([link](#)), pp. 455-57.

⁸⁸ Palazhchenko, “Mikhail Gorbachev and the NATO Enlargement Debate” ([link](#)), p. 443; see also pp. 452-58.

the opposite direction—that is, the Gorbachev statements to the effect that the Americans had not kept their promises about NATO non-extension. Finally, in making an overall assessment of how likely it is that Gorbachev, at the time, thought the assurances applied only to eastern Germany, one also needs to bear in mind all the reasons outlined above for thinking that he “must have” been aware at the time of the evidence bearing on what Baker and Genscher had in mind.

What all this means is that the evidence now available is not solid enough to support strong conclusions one way or the other about what Gorbachev at the time thought the scope of the February assurances was. One cannot, therefore, conclude with any confidence that he understood, in particular, that the assurances applied to Eastern Europe as a whole. And what that means is that one cannot be certain that the assurances, insofar as they were meant to apply to the entire Warsaw Pact area, had any real impact on Soviet policy at the time. One cannot be sure, therefore, that the broader guarantee was directly related to any concessions the Soviets made in the talks on German reunification, and thus one cannot say with confidence that they were part of a “deal.”

Finally, what can be said about the third factor—the role played by the many general assurances made by various Western officials throughout this whole period? It is fairly clear that statements of that sort—all the talk about the West being sensitive to Soviet interests, about how the United States did not seek any “unilateral advantage,” and so on—probably did help pave the way for the big Soviet concession about Germany remaining in NATO after reunification. Even those scholars, like Spohr, who deny that a “deal” was made, agree that this was the case.⁸⁹ And indeed the whole point of giving those very general assurances was to make it easier for the Soviet leadership to make the concessions it did. Those very general statements of policy, in fact, played a major role in the story, and in trying to assess today how binding the February assurances were it is important to view them in the context of the other things they were being told by the NATO governments at this time. A National Security Archive briefing book dealing with this issue speaks of a “a cascade of assurances about Soviet security given by Western leaders to Gorbachev and other Soviet officials throughout the process of German unification in 1990 and on into 1991,” and indeed the Soviets were given many general assurances to the effect that the West sought to treat them with respect, build a cooperative relationship with them, and not do anything that would adversely affect their interests. In late 1989, for example, Bush was urged by his advisers to take a moderate line when he met with Gorbachev at Malta in December—the Soviet Union, one of them wrote, needed to be constantly reassured “that we do not seek unilateral advantage, and that we are behaving with restraint”—and the president followed that advice when he saw the Soviet leader at that summit conference. His administration, he assured Gorbachev, would

⁸⁹ Spohr, “Precluded or Precedent-Setting?” ([link](#)), pp. 29, 48-49.

“seek to avoid doing anything that would damage [the USSR’s] position in the world.”⁹⁰ Baker took the same line when he met with the Soviet leader in February. In dealing with the “external aspects of German unification,” Baker told him, U.S. leaders understood that the interests of Germany’s neighbors needed to be taken into account, and that he and the president had made it clear that “we seek no unilateral advantage in this process.”⁹¹ Bush himself assured Gorbachev in a telephone conversation at the end of February that this was the case, and Baker reiterated the point in a meeting with Shevardnadze in May.⁹² British and French leaders gave the Soviets the same general message.⁹³

Nor were all these assurances given in private. Many statements of this sort were made in public as well. Genscher’s Tutzing and Potsdam speeches, the February 2 Baker-Genscher press conference, and Baker’s remarks to the reporters after his February 9 meetings with Gorbachev and Shevardnadze have already been noted. Other Western leaders—NATO Secretary-General Manfred Wörner, for example—took much the same line.⁹⁴ A communiqué adopted at the NATO foreign ministers’ Turnberry meeting in June gives a good feel for the sort of rhetoric the Soviets were being

⁹⁰ Joshua Shiffrin, “The Malta Summit and US-Soviet Relations: Testing the Waters Amidst Stormy Seas,” Cold War International History Project e-Dossier No. 40 (July 2013) ([link](#)), notes 44 and 63; Gorbachev-Bush meeting at Malta, December 2-3, 1989, in Svetlana Savranskaya and Thomas Blanton, eds., “Bush and Gorbachev at Malta: Previously Secret Documents from Soviet and U.S. Files on the 1989 Meeting, 20 Years Later,” National Security Archive Electronic Briefing Book No. 298 (posted December 3, 2009) ([link](#)), document 10, p. 10. On the Malta summit conference, see also Svetlana Savranskaya and Thomas Blanton, *The Last Superpower Summits* (Budapest: Central European University Press, 2016), chapter 6 ([link](#)).

⁹¹ Baker-Gorbachev meeting (U.S. record), February 9, 1990, in NSAEBB613 ([link](#)), document 4, pp. 2-3.

⁹² Bush-Gorbachev telephone conversation, February 28, 1990, Bush Library website ([link](#)); and Shiffrin, “Deal or No Deal?” ([link](#)), p. 30.

⁹³ See NSAEBB613 ([link](#)), docs. 15, 19, and 22. In addition to general assurances about how Soviet interests would be respected, one should also note that on the more specific issue of NATO expansion, British, French, and NATO authorities gave the Soviets the clear impression that NATO was not going to expand toward the east—not without their consent, at any rate. See, for example, French President François Mitterrand’s comment in an interview with the regional press on February 14, 1990: “De toute façon, il serait sage du côté atlantique de marquer, dès maintenant, l’intention de ne pas avancer les défenses de l’OTAN au-delà des limites actuelles, en attendant l’accord général qui intégrera dans l’équilibre des forces les nouvelles données venues de l’Europe de l’Est” [“In any event, it would make sense for the Atlantic powers to emphasize, right now, their intention to not extend the NATO defense area beyond its present limits, until there is a general agreement which takes into account the effect on the balance of forces arising from the new situation in Eastern Europe.”] ([link](#); click “voir le discours complet”). Additional non-expansion assurances were given in 1991. For some examples, see Rodric Braithwaite, “NATO Enlargement: Assurances and Misunderstandings,” European Council on Foreign Relations, *Commentary*, July 2016 ([link](#)). For more on one of those examples, see the entry in Braithwaite’s diary for March 5, 1991, in NSAEBB613, doc. 28 ([link](#)): when Soviet defense minister Yazov professed “to be worried that the Czechs, Poles and Hungarians will join NATO,” British prime minister Major assured “him that nothing of the sort will happen.” This is to be compared with a comment Douglas Hurd, the foreign secretary at the time, later made in an oral history interview. As he remembered it, his Russian counterpart had been “told, by us and perhaps by Jim Baker, that we had no plans to expand NATO.” And that was true, he said, because there really had not been any *plan* at the time to expand NATO—and what that implied was that no promise had been broken. Lord Douglas Hurd interview by Mary Sarotte, March 17, 2009 ([link](#)), p. 7, in James A. Baker III Oral History Collection, Seeley Mudd Library, Princeton University, Princeton NJ ([link](#)).

⁹⁴ Manfred Wörner, “A Common Europe—Partners in Stability,” July 16, 1990 ([link](#)).

treated to at the time. “We seek no unilateral advantage from German unity,” the ministers declared, “and are prepared to demonstrate this, taking into account legitimate Soviet security interests.”⁹⁵ These general statements of policy helped breathe life and meaning into the more specific non-expansion assurances; that those specific assurances were made in this general context, most people would agree, made them more binding than if those more general statements of policy were not constantly being made.

So to sum up: this section has been concerned with the question of whether the February assurances were in any sense binding on the governments that had given them. The first point here was that purely verbal assurances can be binding, at least in political or moral terms; states certainly act as though this is the case. So the real issue here is not *whether* verbal statements can be binding, but rather what determines *how* binding they actually are. I then considered three factors which bear on that question. The first had to do with how explicit the assurances were, and the conclusion here was that while they were not as explicit as they might have been, they were much more explicit than many people realize. The second factor had to do with whether the two sides had reached a bargain—that is, whether the Soviets agreed to allow the soon-to-be-reunified German state to remain in NATO in exchange for a promise that NATO would not expand into what was still the Warsaw Pact area. The conclusion here was that while there was a certain connection between the two issues, it was much too loose to say that a “deal” had been struck, or at least that is what the evidence now available seems to indicate. The third factor had to do with the many general assurances Western leaders gave during this period, and the conclusion here was that they made the more specific assurances more binding than they would otherwise have been. Indeed, for many of those who have been interested in the question of whether NATO expansion was a breach of faith on the part of the West, those general statements were what really mattered. As Matlock, for example, later pointed out, Bush had promised to “not ‘take advantage’ of a Soviet retreat from Eastern Europe,” but by “expanding NATO’s jurisdiction eastward as the Warsaw Pact crumbled,” the NATO powers clearly were “taking advantage” of the situation.⁹⁶ “I don’t see,” he said on another occasion, “how anybody could view the subsequent expansion of NATO as anything but ‘taking advantage,’ particularly since, by then, Russia was hardly a credible threat.”⁹⁷ Gorbachev himself took much the same view. The later decision to expand NATO, he told an interviewer in 2014, “was definitely a violation of the spirit of the statements and assurances made to us in 1990.”⁹⁸ And since the Soviet concessions on the German question were

⁹⁵ North Atlantic Council, Final Communiqué, Turnberry, June 7-8, 1990 ([link](#)).

⁹⁶ Matlock review of Sarotte’s 1989, *Cold War History* 10, no. 4 (2010) ([link](#)), p. 577.

⁹⁷ Quoted in Ray McGovern, “When the U.S. Welched on Shevardnadze,” *Baltimore Sun*, July 15, 2014 ([link](#)).

⁹⁸ Korshunov interview with Gorbachev, October 16, 2014 ([link](#)).

made with those general statements of Western policy in mind, and since the February assurances were an important part of that general picture, one *can* say that there *was* a connection between those assurances and the Soviet concession on Germany-in-NATO—looser than some people claim, but real enough to be politically significant.

Were the Soviets Deliberately Misled?

Western leaders, Vladimir Putin charged in 2014, had “lied to us many times, made decisions behind our backs, placed us before an accomplished fact. This happened with NATO’s expansion to the East, as well as the deployment of military infrastructure at our borders.”⁹⁹ Shiffrinson does not use anything like that kind of language, but he does suggest that the U.S. government deliberately misled the Soviet leadership in 1990. There was “strong evidence,” he writes, “that the United States misled the Soviet Union in the 1990 talks.” His key point—and he builds here on an argument that Sarotte had earlier developed—is that “a growing body of evidence indicates that U.S. policymakers suggested limits on NATO’s post–Cold War presence to the Soviet Union, while privately planning for an American-dominated post–Cold War system and taking steps that would attain this objective.” “Baldly stated,” he writes, “the United States floated a cooperative grand design for postwar Europe in discussions with the Soviets in 1990, while creating a system dominated by the United States.” The goal was “to enhance U.S. preeminence on the continent.” To that end, U.S. leaders deliberately gave the Soviets the impression that they were sensitive to their security interests, but their aim in doing so was purely tactical in nature. The objective was just to “secure Soviet acquiescence”—to get the Soviets to go along with what the Americans wanted to do in Europe. The non-expansion assurances were to be understood in that context: there is “growing evidence,” he writes, “that the United States was insincere when offering the Soviet Union informal assurances against NATO expansion”—that it was intent on “exploit[ing] Soviet weaknesses” while “presenting a cooperative façade.”¹⁰⁰

What is to be made of that line of argument? It is quite clear, first of all, that there was a certain gap between the real thinking of U.S. leaders at the time and the sort of rhetoric they used. The Soviets were assured in May, for example, that the process the Americans had in mind “would not yield winners and losers. Instead, it would produce a new legitimate European structure – one that would be inclusive, not exclusive.”¹⁰¹ But in private Bush’s attitude was very

⁹⁹ Address by Vladimir Putin, President of the Russian Federation, to the Duma, March 18, 2104 ([link](#)).

¹⁰⁰ Shiffrinson, “Deal or No Deal?” ([link](#)), pp. 11 (third quotation), 12, 19 (first and second quotations), 34 (sixth quotation), 35 (fourth and fifth quotations), 39, 43 (seventh quotation).

¹⁰¹ See Shiffrinson, “Deal or No Deal?” ([link](#)), p. 30, and Baker memorandum for the president on his May 4, 1990, meeting with Shevardnadze, NSAEBB613 ([link](#)), document 17 ([direct link](#)).

different. He explained to Kohl in late February why he thought the United States could get its way on the central issue of whether the united Germany could remain in NATO: “We prevailed, they didn’t.”¹⁰² More generally, no matter what was said in public or what the Soviets were told, the real aim was not to build a new international system in which the USSR was an integral part. Instead, as Sarotte writes, “the goal was to get the Soviets out.” U.S. leaders, she notes, might have talked a good deal in public about the need to treat the Soviets with respect, but in reality the documents “did not exude concern” for the dignity of the Soviet Union.¹⁰³

These points are well taken, and the evidence certainly does suggest that the rhetoric used at the time is to be understood in largely tactical terms. Genscher, for example, later noted that one of the purposes of his Tutzung speech was to help the Soviet leadership “clear the hurdles” that might otherwise prevent it from agreeing to NATO membership for the soon-to-be-reunified German state.¹⁰⁴ As he explained to other Western leaders at the time, one of the main reasons why he was placing such emphasis on the CSCE was to help the Soviets “save face” and thus make it easier for them to accept German reunification on western terms.¹⁰⁵ Tactical considerations also played a major role in U.S.

¹⁰² This comment is quoted in most of the books and articles dealing with the question. The original source, the first February 24, 1990, Bush-Kohl meeting, is available online on the Bush Library website ([link](#)); the quotation is on p. 9.

¹⁰³ See Sarotte, “Perpetuating U.S. Preeminence” ([link](#)), pp. 135-36. The point is important because, as Sarotte points out, it is at odds with what might be termed the official view—or at least the view still taken by most former officials both in the United States and in Germany. See Sarotte, “His East European Allies Say They Want to Be in NATO,” pp. 69-71; note also the editors’ introduction to Bozo et al., *German Reunification*, p. 7 (Sarotte was one of the editors). The official view is perhaps best represented by the various writings by Zelikow and Rice dealing with the question. “Bush, Baker, Kohl, and Genscher,” they, for example, recently wrote, “actually worked conscientiously and in good faith to accommodate Soviet and Russian security concerns.” Philip Zelikow and Condoleezza Rice, “Superpowers Walking a Tightrope: The Choices of April and May 1990,” in Hamilton and Spohr, *Exiting the Cold War* ([link](#)), p. 72. Or as they put the point in their new book, *To Build a Better World* (p. 178): the aim was to build a “different kind of global system,” “one in which the United States and the Soviet Union would have a fundamentally more cooperative relationship.” In both places they are very critical of Shiffrin’s argument. But they themselves, in a passage in that book immediately preceding the one I just quoted from, had shown Scowcroft telling Bush that this was “a rare period in which we can seek to achieve a fundamental shift in the strategic balance, especially in Europe” (p. 177)—a piece of evidence very much in line with the Shiffrin view. And the “official view” in Germany is very similar. Horst Teltschik, for example, still takes much the same line. Bush, he writes, fully supported Kohl on reunification. “At the same time,” however, he “gave a promise to the Soviet leadership: ‘let the Soviets know that our goal is not to undermine their legitimate security interests.’” President Bush understood that security was a core Russian interest and responded accordingly. He treated Gorbachev as a partner and equal and never gloated about winning the Cold War.” Horst Teltschik, “The International Community’s Role in the Process of German Unification,” in Hamilton and Spohr, *Exiting the Cold War* ([link](#)), p. 275. “Never gloated”? In his article in the same volume Adamishin quotes Bush telling the Congress in January 1992 that “By the grace of God, America won the Cold War”—that “the Cold War didn’t ‘end’—it was won.” All of this, he points out, had a major impact on U.S.-Russian relations in the years to come. See Adamishin, “The End of the Cold War: Thirty Years On” ([link](#)) p. 434.

¹⁰⁴ Genscher remark in a 2009 interview with the *Spiegel*, quoted in Marie Katharina Wagner, “Das grosse Rätsel um Genschers angebliches Versprechen,” *Frankfurter Allgemeine Zeitung*, April 19, 2014 ([link](#)).

¹⁰⁵ See, for example, Seitz to Walters, February 3, 1990 ([link](#)), and Hurd-Genscher meeting, February 6, 1990, in Möller et al., *Die Einbeit*, doc. 45, p. 232 ([link](#)). A copy of the original British record of the Hurd-Genscher meeting in PREM19/2998 at the British National Archives in Kew is available on the Margaret Thatcher Foundation website ([link](#)).

calculations at the time. As Shiffrinson points out, according to one high-level American official at the time, U.S. policy “was designed to ‘give an impression of movement’ on European security and to offer Gorbachev ‘some things to make him more comfortable with the process’ of German reunification.” He quotes Bush telling Kohl in late February: “We are going to win the game, but we must be clever while we are doing it.”¹⁰⁶ And some U.S. officials came away with the impression that Bush had indeed been clever in the way he had played his hand. Robert Gates, the deputy national security advisor during the early Bush period, later talked about how the president, at the December 1989 Malta summit, had “played Gorbachev just right” on the German question. Gates’s overall assessment of how Bush had handled the issue during his term as president is even more revealing. “Bush manipulated and used Mikhail Gorbachev,” he wrote, “to achieve foreign policy goals critical to the West, to the United States, to the republics of the former Soviet Union—and to a democratic Russia.”¹⁰⁷ Rodric Braithwaite, the British ambassador in Moscow at the time, referred recently to the “ambiguous things” about NATO expansion that were said by Western leaders in 1990 “both in private and in public,” but thought that during the negotiations on German reunification “some constructive ambiguity was perhaps inevitable”; “afterwards,” he added, “the need to jolly the Russians along was less pressing.”¹⁰⁸ Gorbachev himself later seemed to suggest that Russia had been taken for a ride in the whole post-Cold War period. In an op-ed piece published in the *New York Times* in 2008, he referred to the “unending expansion of NATO,” the “American decision to place missile defenses in neighboring countries,” and so on, and pointed out how “all of these moves have been set against the backdrop of sweet talk about partnership.” Why, he asked, “would anyone put up with such a charade?”¹⁰⁹

But to say that the western countries took the line they did in early 1990 in large part for tactical reasons does not in itself mean that the February assurances were given in bad faith. To be sure, as Sarotte and Shiffrinson have shown, various U.S. officials had at that point already begun to think about extending security guarantees to the “new

For the document in question, extracted from that file, click [here](#). A copy of the version of that document published in the *Documents on British Policy Overseas* volume on the subject was posted by the National Security Archive in NSAE6613, doc. 2 ([link](#)).

¹⁰⁶ Shiffrinson, “Deal or No Deal?” ([link](#)), p. 40. The record of the meeting at which this comment was made, the second Bush-Kohl meeting of February 25, 1990, is available on the Bush Library website ([link](#)). The quotation can be found on p. 5.

¹⁰⁷ Robert M. Gates, *From the Shadows: The Ultimate Insider’s Story of Five Presidents and How They Won the Cold War* (New York: Simon & Schuster, 1996) ([link](#)), pp. 484, 506-507.

¹⁰⁸ Braithwaite, “The Soviet Collapse and the Charm of Hindsight,” in Hamilton and Spohr, *Exiting the Cold War* ([link](#)), p. 91.

¹⁰⁹ Mikhail Gorbachev, “Russia Never Wanted a War,” *New York Times*, August 20, 2008, p. A23 ([link](#)), and quoted in part in Sarotte, “Not One Inch Eastward?” ([link](#)), p. 140.

democracies” in Eastern Europe. But there is no evidence that Baker himself was thinking in those terms at that time.¹¹⁰ My own sense is that Baker’s view in February was that he was asking the USSR to make such enormous concessions—to agree that the reunified German state should remain in NATO—that the Soviets needed to be given some far-reaching assurances in return. His mind, it seems, was focused on the short-term issue of how to get the Soviet leadership to accept the reunification of Germany on Western terms, and his policy was framed with a view to achieving that immediate goal. The issue of how to deal with Eastern Europe was not a major concern in February 1990. If the problem arose later on, U.S. leaders at that point could figure out at that point how to deal with it.

But if that was Baker’s attitude when the assurances were given on February 9, by mid-1990 his views had shifted. “In July,” Shiffrinson pointed out, “Baker himself acknowledged the possibility of NATO’s eastward expansion.” The CSCE might provide a kind of “half-way house” for countries that wanted to leave the Warsaw Pact but could not, as Baker put it, “join NATO and EC (yet).”¹¹¹ That parenthetical “yet” was quite important; it showed that by that point Baker’s views on the NATO expansion question had begun to evolve. Indeed, by that time other U.S. officials were already thinking of inviting the East Europeans to set up liaison missions with NATO; the liaison missions would, it was anticipated, be a first step toward full membership.¹¹² The issue of NATO expansion into Eastern Europe was discussed at a meeting of an important inter-agency group in late October. Some officials, Shiffrinson writes (quoting from the record of that meeting), wanted to keep NATO’s “door ajar and not give the East Europeans the impression that NATO is forever a closed club”; others were against expanding NATO, but even they agreed that this was an open issue and that policy in this area could be reviewed in the future.¹¹³ The Germans were also moving away from the line they had adopted in early 1990. When Baker, meeting with Genscher in late March, remarked that it looked like the Central European states (Czechoslovakia, Hungary, and Poland) wanted to join NATO, the German foreign minister noted that “this was a question which we should not touch right now”—and Baker agreed.¹¹⁴ The implication was that it might be dealt with

¹¹⁰ Shiffrinson, “Deal or No Deal?” ([link](#)), pp. 36-37. See also Sarotte, “Perpetuating U.S. Preeminence” ([link](#)), p. 118.

¹¹¹ Shiffrinson, “Deal or No Deal?” ([link](#)), p. 37. “EC” referred to the European Community, the predecessor of today’s European Union.

¹¹² Zelikow and Rice, *Germany Unified*, pp. 307, 460 n.36 and 466 n.78, and Zoellick, “Two Plus Four” ([link](#)), p. 22. Years later Zelikow and Rice, in trying to refute Shiffrinson’s argument, back-pedaled a bit and played down the importance of this move. They now interpreted the liaison mission proposal as reflecting a “reserved stance.” The idea, they said, was to come across as “inscrutable”—to treat the issue of NATO expansion “as premature and not on the table, while of course reserving our options as the political situation in Europe evolves.” Zelikow and Rice, “Superpowers Walking a Tightrope” ([link](#)), pp. 71-72.

¹¹³ Shiffrinson, “Deal or No Deal?” ([link](#)), pp. 38-39.

¹¹⁴ Baker-Genscher meeting, March 21, 1990, in Hilger, *Diplomatie für die deutsche Einheit*, p. 113.

later, and that neither the Americans nor the Germans felt that NATO expansion was simply out of the question because of what Baker and Genscher had promised the previous month. By mid-1990 U.S. leaders, in fact, knew they held all the cards and could get more or less whatever they wanted; they were not going to be held back for long by the assurances they had given in February. To be sure, they realized they could achieve their goals more easily if they moved gradually and if what Gorbachev called the “sweet talk” continued; but they had concluded that they had won the Cold War and now felt freer to walk away from the February assurances.¹¹⁵

That there was an element of bad faith here is clear enough. One does not find the Americans saying, in effect, “we gave those assurances to get what we wanted—a unified Germany in NATO—and now that we got it, we can’t just renege on our promises.” Still, it would not be right to just leave it at that, and some interesting issues emerge only when one asks *why* it was that American policy moved in that direction. The key question here is whether the U.S. goal was really “to enhance U.S. preeminence on the continent” as a kind of end in itself, and much of the new evidence suggests that that was not the ultimate goal at all. A number of influential policymakers believed that America needed to “stand between Germany and Russia in central Europe.” They felt that the United States needed to play that role not because it was in its own interest, narrowly defined, to do so, but rather because the overriding objective was to build a stable political system in Europe.¹¹⁶ The Europeans, it was assumed, could not do the job on their own. Russia and Germany, if the Americans were not involved, faced a security dilemma. Without the United States to protect them, the Germans would have to develop their own power in order to defend themselves against Russia, which, after all, would remain a great nuclear power; to stand up to Russia in that way, Germany would, of course, have to build a nuclear force of its own. That, in turn, would inevitably pose a threat to Russia, not least because a strong Germany could behave in ways a weak, nonnuclear Germany never could. This had been a problem during the Cold War as well, and one of the great functions of NATO at that time was that it helped solve it. Germany had been shielded from any possible Russian threat, and thus did not have to—indeed, was not allowed to—build its own nuclear force; at the same time, German power had

¹¹⁵ All this is important in part because many people still think that NATO expansion only became an issue during the Clinton period. But it has been clear for years that this was not the case. See, for example, the Zoellick article cited in n. 49 above and the passages relating to the “liaison missions” in the Zelikow and Rice book referred to in n. 112; for some information about how this issue was handled in 1991, see Robert L. Hutchings, *American Diplomacy and the End of the Cold War: An Insider’s Account of U.S. Policy in Europe, 1989-1992* (Washington: Wilson Center Press, 1997) ([link](#)), pp. 279, 290. For more on the NATO expansion issue during the late Bush period, see Liviu Horovitz, “The George H.W. Bush Administration’s Policies vis-à-vis Central Europe: From Cautious Encouragement to Cracking Open NATO’s Door,” in Daniel Hamilton and Kristina Spohr, eds., *Open Door: NATO and Euro-Atlantic Security after the Cold War* (Washington: Brookings Institution Press, 2019) ([link](#) to book) ([link](#) to Horovitz chapter), pp. 81-82.

¹¹⁶ Shiffrinson, “Deal or No Deal?” ([link](#)), p. 36. There is also some interesting new material relating to this issue in Horovitz, “The George H.W. Bush Administration’s Policies vis-à-vis Central Europe” ([link](#)), pp. 75-76.

been contained within a structure dominated by the United States, a country that was clearly determined not to risk war to change the status quo in Europe; the NATO system was therefore a source of reassurance for Russia as well. And the basic idea taking hold at the end of 1989 was that NATO could continue to play that role in the post-Cold War period. “The Alliance,” as one U.S. official noted, was “the best way out of the German-Russian security dilemma.”¹¹⁷ The U.S. presence would, in effect, serve to reassure both Germany and Russia, and prevent either country from really posing a threat to the other; without it, the political system in Europe would be much less stable.¹¹⁸

Baker also saw things this way, as his remarks to the Soviet leadership on February 9 demonstrate. His whole pitch to the Soviets about why the reunified German state should be allowed to stay in NATO—about why it was in their interest that the NATO system, extended to include the new Germany, should remain intact—was rooted in this kind of thinking. “If Germany is neutral,” he told Gorbachev, “it does not mean it will not be militaristic. Quite the opposite, it could very well decide to create its own nuclear potential instead of relying on American nuclear deterrent forces.” He had made the same point to Shevardnadze earlier that day. And Gorbachev took the point. The Soviets, he said, did not “really want to see a replay of Versailles, where the Germans were able to arm themselves.” And he agreed that the best way to keep things under control was to make sure “that Germany is contained within European structures.” He therefore considered Baker’s approach “very realistic.”¹¹⁹

How then is the question of whether the Soviets were deliberately misled to be answered? The basic conclusion here is that there is no evidence that the U.S. and German governments did not intend to honor the February assurances at the time they were given; it was only later, in July, that Baker came to the conclusion that the East European countries might eventually become part of NATO. But it would be a mistake to attribute that shift in policy to a desire to dominate Europe as a kind of end in itself, and one of the most interesting things about the new evidence is the light it throws on the thinking that lay at the heart of the Bush administration’s European policy in 1990—that is, on why it came to the conclusion that stability depended on maintaining a U.S. military presence in Europe. “As I looked forward,” Scowcroft later recalled, “I thought that the U.S. having troops on the ground in Europe was the best kind of security for preserving

¹¹⁷ Quoted in Sarotte, “Not One Inch Eastward?” ([link](#)), p. 137.

¹¹⁸ It is important to understand that the basic philosophy that lay at the heart of the Bush policy had taken hold in U.S. policymaking circles much earlier—that these ideas had not suddenly emerged in 1989 or 1990 but had become rooted in American thinking during the long Cold War period. The fact helps explain not just why the Bush administration pursued the policy it did, but also why that policy remained largely intact well after it had left office. For further discussion, see Appendix III.

¹¹⁹ Baker meetings with Shevardnadze and Gorbachev, February 9, 1990, NSAEBB613 ([link](#)), documents 4, 5, and 6.

the Atlantic alliance, and I thought that was critical, *not just because of the Soviet Union.*¹²⁰ The U.S. presence, as key officials saw it, had a much broader function. The system could be stable, in their view, only if the United States stood “between Germany and Russia in central Europe”; and the whole policy of NATO expansion, as it gradually took shape, was rooted in that fundamental idea. NATO, of course, did not have to be enlarged for the United States to continue playing that role. If a U.S. force in Western Europe had allowed American power to, in effect, stand between Germany and Russia during the Cold War period, it could continue to play that role after the Cold War even if NATO did not move east. But even if that is true, it is important to realize that the NATO expansion policy was not rooted essentially in a desire “to enhance U.S. preeminence on the continent” for its own sake—or at least that is what some of the new evidence strongly suggests.

Conclusion

The United States was prepared from the start to accept the area the Red Army had occupied in 1945 as a Soviet sphere of influence. Thanks to Hitler, President Truman said in July 1945, “we shall have a Slav Europe for a long time to come. I don’t think it is so bad.”¹²¹ At Potsdam that same month U.S. leaders in effect recognized eastern Germany as lying within the Soviet sphere, and by the end of 1945 they had made it clear that they put all of Eastern Europe in that category.¹²² That remained the U.S. view for most of the Cold War. A remark that President Kennedy made in his Vienna meeting with Soviet leader Nikita Khrushchev in June 1961 is quite revealing in this regard. His government, he told Khrushchev, did not “wish to act in a way that would deprive the Soviet Union of its ties in Eastern Europe”—meaning, in effect, that his government agreed that Soviet interests were predominant in that area.¹²³ U.S. leaders, however, also hoped from the start that the Soviets would relax their control over the region and allow the East Europeans to enjoy more autonomy—that is, more control over their internal affairs. Key officials during the Truman period would thus have

¹²⁰ Scowcroft interview with Philip Zelikow and others, November 12-13, 1999, George H.W. Bush Oral History Project, Miller Center, University of Virginia ([link](#)), p. 76. Emphasis added.

¹²¹ James Forrestal diary, entry for July 28, 1945, James V. Forrestal Papers, Subseries 5A: Diaries, vol. 2, Public Policy Papers, Department of Special Collections, Princeton University Library, Princeton, N.J. ([link](#)), frame 83; ([alt. link](#) to the entry for that date).

¹²² See Marc Trachtenberg, *A Constructed Peace: The Making of the European Settlement, 1945-1963* (Princeton: Princeton University Press, 1999), chapter 1, and Marc Trachtenberg, “The United States and Eastern Europe in 1945: A Reassessment,” *Journal of Cold War Studies*, 10:4 (Fall 2008) ([link](#)). Note also the H-Diplo roundtable on that article ([link](#)) ([pdf version](#)).

¹²³ Kennedy-Khrushchev meetings, June 4, 1961, U.S. Department of State, *Foreign Relations of the United States, 1961-63*, vol. 14, p. 95 ([link](#)). That this was Kennedy’s meaning is underscored by the fact that this comment was deleted from the version of the document declassified in 1990.

been quite happy if Eastern Europe became what Eduard Mark called an “open sphere”—an area where Soviet security interests were predominant, but that remained “open to the economic interests of other nations and to such indigenous aspirations as did not threaten the military security of the hegemon.”¹²⁴ In the 1950s U.S. leaders were still thinking in those terms. In October 1957, Secretary of State John Foster Dulles assured his Soviet counterpart that the USSR was “entitled to a sense of security.” “If a relationship could be developed with other bordering countries similar to that between Finland and the Soviet Union and Yugoslavia and the Soviet Union, with a sense of independence and yet close relations, this,” he said, “would be a very acceptable solution.”¹²⁵ The famous “Sonnenfeldt Doctrine,” which received so much attention in 1976 (and which triggered the process that led to President Ford’s famous gaffe about Poland in the 1976 presidential debates, which might well have cost him the election), was cut from the same cloth. Helmut Sonnenfeldt, one of Secretary of State Henry Kissinger’s top advisers, thought the U.S. goal should be “the ‘Finlandization’ of Eastern Europe”; in the talk in which he had laid out the thinking that was later termed the “Sonnenfeldt Doctrine,” he later said, he had been explaining a “long-standing if complex American position, not propounding a new policy, let alone a doctrine.”¹²⁶ And Sonnenfeldt’s views, it is now clear, reflected the basic thinking of the U.S. government as a whole during this period.¹²⁷

If a “Finlandization of Eastern Europe” was America’s great dream during the Cold War period, it must have seemed to U.S. policymakers at the beginning of 1990 that they were on the verge of seeing that dream come true. The February assurances should be seen in that context. A very satisfactory set of arrangements might well soon take shape. The East Europeans would be free to manage their own affairs, but Soviet security interests would be respected. And the Western powers should not mess things up by taking too hard a line with the Soviets. A hard line could lead to the fall of the Gorbachev

¹²⁴ Eduard Mark, “American Policy Toward Eastern Europe and the Origins of the Cold War, 1941-1946: An Alternative Interpretation,” *Journal of American History* 68, no. 2 (September 1981) ([link](#)); the quotation is on p. 320.

¹²⁵ Quoted in Trachtenberg, *Constructed Peace*, p. 10 n.13 ([link](#)). Other evidence relating to this issue is given in that footnote.

¹²⁶ Leo Ribuffo, “Is Poland a Soviet Satellite? Gerald Ford, the Sonnenfeldt Doctrine, and the Election of 1976,” *Diplomatic History* 14, no. 3 (1990) ([link](#)). The quotation is on p. 392. Ribuffo was paraphrasing a comment Sonnenfeldt made in 1988 interview.

¹²⁷ See Douglas Selvage, “Transforming the Soviet Sphere of Influence? U.S.-Soviet Détente and Eastern Europe, 1969-1976,” *Diplomatic History* 33, no. 4 (September 2009) ([link](#)). On America’s acceptance during this period of the USSR’s “special interests in Eastern Europe,” see also Dobrynin, *In Confidence*, pp. 228, 243. The line Kissinger took during his January 1989 visit to Moscow was cut from the same cloth. For an early account, see Michael Beschloss and Strobe Talbott, *At the Highest Levels: The Inside Story of the End of the Cold War* (Boston: Little, Brown, c1993) ([link](#)), pp. 13-17. For two recent accounts, see Thomas Blanton, “U.S. Policy and the Revolutions of 1989,” in Svetlana Savranskaya, Thomas Blanton and Vladislav Zubok, eds., *Masterpieces of History: The Peaceful End of the Cold War in Europe, 1989* (Budapest: Central University Press, 2010), paragraphs 30-33 ([link](#)), and Jeffrey Engel, *When the World Seemed New: George H. W. Bush and the End of the Cold War* (New York: Houghton Mifflin Harcourt, 2018), pp. 69-70. The notes of Kissinger’s meetings with Yakovlev on January 16 ([link](#)) and with Gorbachev on January 17 ([link](#)) are also available online.

government and a Soviet crackdown on Eastern Europe. This obviously had to be avoided. The Soviets, in particular, had to be assured that their security interests would be respected if they agreed to the reunification of Germany on essentially western terms. It was only later that U.S. leaders realized that the USSR had become too weak to prevent them from doing whatever they wanted. So by mid-1990, the February assurances were no longer taken as binding. What Gorbachev called the “sweet talk” continued, but the whole vision of a cooperative relationship based on mutual trust and mutual respect, it became increasingly clear, was at odds with the reality. All of this was, and still is, deeply resented in Russia. Anatoly Adamishin, who had served as Shevardnadze’s deputy foreign minister at the time, recently blamed the Bush administration’s “we will do what we need to do and to hell with Russia” attitude for spoiling the chance to build a much healthier post-Cold War political relationship.¹²⁸ And many western scholars and other observers, while not putting the matter quite so bluntly, also seem to feel that the wrong road was taken in 1990.¹²⁹

How is one to respond to that line of argument? The analysis here has led to certain conclusions. I think it is clear from the historical record that the assurances about NATO non-expansion that both Baker and Genscher gave the Soviets in February 1990 related not just to eastern Germany but to Eastern Europe in general. Genscher was quite explicit in this regard, Baker less so, but the evidence shows beyond reasonable doubt that he, too, had the Warsaw Pact area in general in mind. Those assurances amounted to promises—perhaps not “legally binding” promises but promises nonetheless—and Russian allegations to that effect were by no means baseless. Russian leaders were not (as is sometimes said) simply concocting a false historical narrative for their own political purposes. But the Soviets were not deliberately misled at the time the assurances were given. If there was an element of bad faith here, it only came into play months later, when U.S. policy shifted and American leaders began to think about bringing the East Europeans into NATO.

What bearing do those conclusions have on the basic issue of how the general policy the U.S. government pursued in this area from mid-1990 on is to be assessed? Even if one accepts those conclusions, it is not obvious how that issue should be dealt with. One can, of course, say that it was a question of national honor, and that in renegeing on those promises what the United States did was disgraceful. Or one could take a more cynical view and argue, as E.H. Carr had done in 1939, that even formal agreements are mere snapshots reflecting the balance of power at a particular point in time, and that as power relations change, it is natural that policies should change accordingly and that promises made in the past will no longer be viewed as

¹²⁸ Adamishin, “The End of the Cold War: Thirty Years On” ([link](#)), p. 435.

¹²⁹ See, for example, the Afterword to the revised edition of Sarotte’s *1989*, p. 229; William Taubman, *Gorbachev: His Life and Times* (New York: Norton, 2017), pp. 691-92; and Jack F. Matlock, *Autopsy on an Empire: The American Ambassador’s Account of the Collapse of the Soviet Union* (New York: Random House, 1995), pp. 551, 558-59, 658.

binding.¹³⁰ Or one could take the view that some things in international political life are more important than simply keeping one's word. One could argue that the western powers had a moral obligation to provide for the security of the "new democracies" in "Central and Eastern Europe," and that this should outweigh the obligation to honor the promises made in February. All sorts of views are possible.

The key point here, however, is that this is not, strictly speaking, an historical issue. The answers one gives depends on the moral and political values one happens to hold, and while these often shape the historical analysis, only to a limited extent are they shaped by it. To be sure, historians, like everyone else, have their own personal views about these matters. And it is also true that when they are dealt with historians do have something special to bring to the table. If someone talks about how important it is to honor one's commitments, for the historian the example of the Vietnam War comes quickly to mind. Was the massive U.S. effort there warranted simply because commitments had been made? On the other hand, the historian also knows that one can pay a big price for walking away from assurances one has given, especially if they can be seen as part of a "deal." The Germans in 1918 were promised that the peace would be based on the Wilsonian peace program and laid down their arms on that basis; they later viewed the allies, with some justification, as having reneged on that promise; and the resentment that led to helps explain why international politics was so unstable in the whole post-Versailles period.¹³¹ Historians familiar with such cases can thus make a certain contribution to the debate about policy. But historical analysis in itself cannot really answer the fundamental question of how the policy of NATO expansion is to be assessed, and it is not the historian's business in any event to sit in judgment on the past. He or she can provide a springboard for thinking about these issues, but to make political and moral judgments, one has to bring one's own personal sensibility to bear, and that means that those concerned with such questions will ultimately have to come up with answers on their own.

¹³⁰ See E.H. Carr, *The Twenty Years' Crisis, 1919-1939: An Introduction to the Study of International Relations* (New York: Harper & Row, 1964; originally published in 1939), esp. pp. 105-106.

¹³¹ See Appendix IV for a discussion of the pre-armistice agreement and related matters.

Appendix I: What did Gorbachev agree to at the Washington Summit in May 1990?

Did Gorbachev, at the Washington summit conference with Bush in May 1990, agree that “nations could choose which military alliances they would join”—a principle that would even apply to the Eastern European countries? If so, getting Gorbachev to accept such a principle would indeed have been, as Mary Sarotte says, a “significant U.S. accomplishment.”¹ And there is one piece of archival evidence (cited by Sarotte) that does suggest that Gorbachev accepted that general principle. Baker, it turns out, jotted down at the key meeting that “Gorby” had said that “anyone can join NATO.”² But the bulk of the evidence indicates that Gorbachev simply accepted, as a matter of principle, that the soon-to-be-reunified German state had a right to choose its own alliances. The early accounts made it clear that Gorbachev was only referring to Germany.³ And the documentary sources that have become available in recent years confirm that this was the case.⁴

As noted in the text, that concession about Germany came in time to be seen as a real breakthrough. Baker, in his memoir (p. 254) characterized it as such. Zelikow and Rice, in *Germany Reunified* (p. 283) also see it as marking a “turning point,” and they quote Chernyaev making a similar point (pp. 282-83). But at the time U.S. leaders were slow to treat the Gorbachev concession as definitive. This point was already clear from the earlier literature and the new evidence underscores how cautious they were. Note, for example, the way Bush dealt with it in a phone conversation he had with Kohl right after the meeting. “Near the end of the thing,” he told the chancellor, “I thought he [Gorbachev] kind of agreed with my position that I support Germany’s full membership in NATO but that it was up to Germany to decide”; “we had no agreement at all,” he later said, “but then there was no hostility.”⁵ A long U.S. State Department cable outlining what the allies were to be told about the meeting stressed the point that “no breakthroughs” had been made there.⁶ Note also the cautious tone Bush took in briefing Congressional leaders on what had happened at the summit.⁷

But U.S. policymakers gradually came to see that the Gorbachev concession was solid. On this point, see, for example, Don Oberdorfer, *The Turn: From the Cold War to a New Era: The United States and the Soviet Union, 1983-1990* (New York: Poseidon Press, c1991) ([link](#)), p. 429. It was only after they had reached that conclusion that they came to see that the Washington Summit had been a turning point.

Finally, two other points should be noted. First of all, while Gorbachev did not agree at Washington that the East Europeans could join NATO, he had, however, already accepted as a matter of principle that they could leave the Warsaw

¹ Sarotte, “Perpetuating U.S. Preeminence” ([link](#)), p. 126, and also Mary Sarotte, “The Convincing Call from Central Europe: Let Us Into NATO: NATO Enlargement Turns 20,” *Foreign Affairs* blog, March 12, 2019 ([link](#)).

² Baker notes on summit meetings (handwritten), May 31, 1990, James A. Baker Papers, series 8, box 109, folder 1 ([link](#)), cited in Sarotte, “Perpetuating U.S. Preeminence” ([link](#)), p. 126.

³ For the early accounts, see especially Beschloss and Talbott, *At the Highest Levels* ([link](#)), pp. 219-20, 227; Zelikow and Rice, *Germany Unifed* ([link](#)), pp. 277-78, 281-83; James A. Baker, III, with Thomas M. DeFrank, *The Politics of Diplomacy: Revolution, War, and Peace, 1989-1992* (New York: Putnam's, 1995) ([link](#)), pp. 248-49, 253-54; and George Bush and Brent Scowcroft, *A World Transformed* (New York: Knopf, 1998) ([link](#)), pp. 282-83, 288-89. See also Don Oberdorfer's interview with Bob Zoellick, December 4, 1990, pp. 5-7, Don Oberdorfer Papers, box 3, folder 10, Mudd Library, Princeton ([link](#)) and Scowcroft's later account in a Miller Center oral history interview, November 12-13, 1999, pp. 82-82 ([link](#)).

⁴ See the extract from the Soviet minutes of the Bush-Gorbachev meeting on May 31, 1990, in Svetlana Savranskaya and Thomas Blanton, eds., “The Washington/Camp David Summit 1990: From the Secret Soviet, American and German Files,” National Security Archive Electronic Briefing Book No. 320 [henceforth cited as NSAEBB320] (posted June 13, 2010) ([link](#)), doc. 11 ([link](#)); see esp. p. 9. It was also included in a more recent National Security Archive collection on the subject: Thomas Blanton and Svetlana Savranskaya, eds., “The Washington/Camp David Summit 30 Years Ago,” National Security Archive Electronic Briefing Book No. 707 [henceforth cited as NSAEBB707] (posted June 2, 2020) ([link](#)).

⁵ Bush-Kohl telephone conversation, June 1, 1990, NSAEBB707, doc. 18 ([link](#)).

⁶ State Department to U.S. Embassies in allied countries, “Briefing Allies on Washington Summit,” June 15, 1990, in NSAEBB320, doc. 16 ([link](#)).

⁷ Fred McClure to Brent Scowcroft, “The President’s Meeting with Congressional Leaders on June 5, at 9:00 a.m.,” June 5, 1990, Scowcroft Files, box 91118, Bush Presidential Library. (I am grateful to one of the reviewers of an earlier version of this paper for bringing this document to my attention.)

Pact if they so desired. He asked only that the Americans not try to “wean the East Europeans away.”⁸ The second point is that Gorbachev’s concession at Washington about Germany was not made (as is sometimes said) on the spur of the moment, essentially because he was surprised by Bush’s argument that under the Helsinki Agreement countries could decide on their own alliances and was unable to refute it. As Andrei Grachev remarks, “Gorbachev’s decision was not in any way an improvisation”; even the point about Helsinki had already been made by French president Mitterrand in a meeting with Gorbachev a few days earlier.⁹

⁸ See Baker to Bush, May 18 and 19, 1990, NSAE707 ([link](#)), docs. 7 (p. 2, with Bush markings) ([link to document](#)) and 8 ([link to document](#)).

⁹ Andrei Grachev, *Gorbachev’s Gamble: Soviet Foreign Policy and the End of the Cold War* (Medford MA: Polity, 2008), pp. 158-59; Frédéric Bozo “‘I Feel More Comfortable with You’: France, the Soviet Union, and German Reunification,” *Journal of Cold War Studies* 17, no. 3 (Summer 2015) ([link](#)), pp. 149-50; and Mitterrand-Gorbachev meeting, May 25, 1990, in Chernyaev and Galkin, *Michail Gorbatschow und die deutsche Frage* ([link](#)), p. 421.

Appendix II: Are Verbal Assurances Binding under International Law?

It is often assumed that unless assurances like the ones Baker gave Gorbachev in Moscow are embodied in signed agreements they are not legally binding. But legal scholars, as a general rule, do not take the view that only written, signed agreements are binding under international law. As Charles Lipson pointed out in 1991, “virtually all international commitments, whether oral or written,” are treated in the international law literature as “binding international commitments.”¹ And indeed legal scholars have often argued that unilateral statements made at the foreign ministerial level can be legally binding. For the traditional view, see, for example, James W. Garner, “The International Binding Force of Unilateral Oral Declarations,” *American Journal of International Law* 27, no. 3 (July 1933) ([link](#)).

Garner’s article was triggered by an important decision by the World Court in 1933, affirming that a verbal statement made by the Norwegian foreign minister Nils Ihlen in 1919 relating to Denmark’s sovereignty over Greenland was legally binding. In issuing that decision, the Court endorsed the general view that such statements could be binding under international law.

The World Court’s successor institution, the International Court of Justice, reaffirmed this principle in 1974 (and even extended it a bit) in a case brought by New Zealand and Australia challenging France’s legal right to conduct nuclear testing in the Pacific. An article by the prominent international law scholar Thomas Franck dealing both with that case and with this general issue is very much worth reading.²

Excerpts ([link](#)) from these two cases and a third case relating to this issue are available on the webpage for the Institute for International Law and Justice’s International Law course ([link](#)); see Unit 4, Part I, Section D, on “Legal Effects of Unilateral Declarations.” (The IILJ is based at the NYU Law School.) For the current mainstream view on the subject, note also the statement adopted in 2006 by the UN’s International Law Commission on “Guiding Principles Applicable to Unilateral Declarations of States Capable of Creating Legal Obligations,” also available on that webpage ([link](#)). On these matters, see also William T. Worster, “Between a Treaty and Not: A Case Study of the Legal Value of Diplomatic Assurances in Expulsion Cases,” *Minnesota Journal of International Law* (2012) ([link](#)), pp. 339-44.

The examples given in the text and in Appendix IV (relating to the Cuban missile crisis, access to Berlin, and the pre-armistice agreement in 1918) all show that as a matter of practice written agreements do not have to be signed in order for a commitment to be viewed as binding, and indeed as legally binding. And one should also note the kind of evidence which the ICJ took as proving that a legally binding commitment existed. “The unilateral statements which the Court took to constitute a binding legal commitment by France,” Franck wrote, “include series of communiqués, messages, and press interviews in which the President of France, the French Ambassador to New Zealand, the French Foreign Minister, and the Minister of Defense had state that their country had reached a stage of nuclear development which indicated that the controverted series of atmospheric tests could now be followed by tests conducted only underground.”³

What is to be made of all this? People often talk with great assurance about what is or is not binding under international law, but it must be recognized that views about these matters are far more subjective than many people realize. Under the present international legal system, no one—not even the ICJ—can issue binding opinions about what is legally required (unless the parties involved agree in advance to be bound by the decision); the U.S. Supreme Court’s decisions have the force of law, but the same cannot be said of the ICJ. So the ICJ’s decisions are not authoritative in the same way that the Supreme Court’s decisions are; people, in the final analysis, are free to make up their own minds about what is legally binding in the international arena; and the way one deals with that issue depends on one’s theory of international law. That is not to say, of course, that all such theories are equally valid. In the philosophy of law, as in any branch of philosophy, some theories are better than others—better intellectually, and better in other ways as well. The only point here is that in dealing with these issues the subjective element looms much larger than many people think.

And what that means is that prevailing views among legal scholars cannot be accepted uncritically. My personal view is that one should not take the view that statements made in press interviews and in other venues are legally binding, and that one needs a much stricter standard for what is binding under international law. Franck concludes his article by arguing that the U.S. statement that it would “react vigorously” to a new North Vietnamese offensive launched in violation of the 1973 peace agreement was a “legally binding undertaking by the United States”; but was the United States

¹ Charles Lipson, “Why are Some International Agreements Informal?” *International Organization* 45, no. 4 (Autumn, 1991) ([link](#)), n. 7; see also pp. 502, 533-34.

² Thomas M. Franck, “Word Made Law: The Decision of the ICJ in the Nuclear Test Cases,” *American Journal of International Law* 69, no. 3 (July, 1975) ([link](#)).

³ Franck, “Word Made Law,” p. 614.

really breaking the law by failing to honor such commitments? It seems to me that it would make sense to apply a less exacting standard when we are dealing with such essentially political matters—that it would make sense to view as “binding under international law” only the most serious agreements, which both sides clearly view as binding. This would include, but would not be limited to, signed agreements, especially treaties, ratified in accordance with a state’s internal political procedures. It is not that lesser assurances should carry no political weight, or that states should feel free to renege on promises given in that way. It is only that the notion of what is “legally binding” should not be applied too loosely, and that that term should be reserved for what were viewed at the time as binding commitments—but that is essentially a personal opinion.

Appendix III: The “Double Containment” Issue

As the Cold War was ending, President Bush famously declared that the United States “must and will remain a European power.”¹ It was in many ways a strange declaration; America, after all, is not in Europe, and earlier U.S. presidents—especially Eisenhower—felt strongly that the American presence on the continent was essentially temporary, and that in the long run the Europeans would have to solve their problems on their own. The common assumption during the Cold War, moreover, was that America was in Europe only because the western part of the continent was threatened by Soviet military power. With that threat gone it was hard for many people to see why the United States still needed to maintain a certain military presence there.

Yet Bush’s declaration reflected a way of thinking that played a fundamental role in shaping U.S. policy in 1990 and after. And to understand that thinking, it is very important to note—and this point has been emphasized by recent historical work in this area—that the ideas which Bush’s statement reflected had not suddenly emerged at the end of the Cold War in 1989 or 1990, and that the Bush people were building on a set of ideas that had taken hold years earlier.²

In part, the thinking was based on the simple point that America had tried to withdraw from Europe once before—after the First World War—and that basic decision, it was firmly believed by people like Bush, was a fundamental cause of the great disasters of the 1930s and 1940s. They were determined, therefore, that the kind of thing would not happen again.

But that does not wholly explain why those ideas took hold or why they came to be so strongly held. After all, it was not obvious to U.S. leaders in the post-1945 period that the United States would have to stay in Europe forever. Eisenhower especially felt the Europeans were strong enough to defend themselves and hoped the Americans could eventually pull out. It was only in 1961 that U.S. leaders turned away from that idea for good. They had abandoned that notion once before, during the Truman administration in the summer of 1951, only to revive it in an even stronger form under Eisenhower. But this time, in 1961, the idea that America could at some point in the future withdraw from Europe was abandoned more or less permanently.

The problem was that for western Europe to stand up to a great nuclear power like the USSR it obviously had to have a great nuclear capability of its own. In principle, a truly federal Europe could provide for its own defense without Germany having to develop its own independent nuclear force. But, unlike Eisenhower, Kennedy realized that a true pooling of sovereignties was not likely to happen anytime soon. The Kennedy people, however, were also unwilling—and here again they parted company with Eisenhower—to see the Federal Republic develop a nuclear capability of its own.

And why did they oppose it? Not to put too fine a point on it, they did not fully trust the Germans—not the same way they trusted the British or even the French. This of course was rooted in their whole experience with Germany during the Hitler period, and, to a certain extent, even with his predecessors. That element of distrust faded but never entirely disappeared, despite the fact that for decades Germany’s political behavior was impeccable. There was always a kind of residual suspicion that that was only because Germany was weak, and that if Germany recovered her power and became a fully independent great power once again, the Germans would speak with a much louder voice.

Those basic attitudes were of fundamental importance, but they were supplemented by other concerns. For one thing, America’s other main NATO allies were all opposed to a German nuclear force, more strongly, in fact, than the U.S. government was; if Germany were to go nuclear the fear was that that could destroy the Atlantic Alliance. And then there was the Soviet factor. Given their experience with Germany, the Soviets were naturally dead set against the idea of a German nuclear force; preventing it from coming into being was their number one security concern in Europe. And

¹ Bush Remarks at the Welcoming Ceremony for Prime Minister Giulio Andreotti of Italy, March 6, 1990. He used the same phrase many times during this period, as a search of the *Public Papers of the Presidents* for the Bush period makes clear.

² For an analysis of the way these issues were dealt with during the Cold War period, see Trachtenberg, *Constructed Peace*. For recent works that show how the Bush policy was rooted in the kind of thinking that had taken shape years earlier, see Jeffrey Engel, “Bush, Germany, and the Power of Time: How History Makes History,” *Diplomatic History* 37, no. 4 (September 2013) ([link](#)), esp. pp. 652-63; Hal Brands, “Choosing Primacy: U.S. Strategy and Global Order at the Dawn of the Post-Cold War Era,” *Texas National Security Review* 1, no. 2 (March 2018) ([link](#)); and Timothy Sayle, *Enduring Alliance: A History of NATO and the Postwar Global Order* (Ithaca NY: Cornell University Press, 2019), pp. 223-24. For evidence that this sort of thinking was still very much alive at the end of 1989, see the document quoted in Zelikow and Rice, *To Build a Better World*, pp. 209-210.

what that meant was that for an America interested in building a stable peace in Europe, the one thing it could do to get the Soviets to live with things as they were (especially around Berlin) was to offer them an assurance that Germany would be kept non-nuclear, and that German power would be contained within a structure dominated by the United States.

This, I think, is what Scowcroft at least partly had in mind when he said, in the oral history interview I referred to in the text, that keeping “U.S. troops on the ground in Europe” was “critical, *not just because of the Soviet Union.*”³ I also think that for the U.S. policymaking elite in general NATO was never just about the Soviet threat. It was really about stability in Europe. People had come to the conclusion by 1961 that there was no purely European solution to the European security problem—there could be no stable system if the United States were to pull out. And the German question lay at the heart of that problem.

Did that mean simply that one of the main functions of NATO, as was often said, was to “keep Germany down”? When people refer to the idea of “double containment” that’s what they have in mind: that one of the main functions of NATO was to contain not just the USSR but Germany as well. And there is no question that this was an important element in U.S. thinking on the subject (as well as in the thinking of other key NATO allies, like Britain and France). You can see that by looking at what Baker told the Soviet leaders on February 9, 1990 (as reported in the text). And one comes across very blunt expressions of this view from time to time. Thus then-Senator Joseph Biden, in the NATO enlargement hearings in 1997 explained what he thought the purpose of NATO was. “It was not merely to contain Russia,” he said. “It was to harness Germany; it was to bring stability in Europe; and it has never, never, never only been to contain Russia.”⁴ And Matlock said this to an interviewer in 2016:

If anyone had asked me in the summer of ’91, “might not NATO expand to the east?” I’d have said “well no, I don’t see any reason for that. We need to keep it, because we need to keep Germany under control. Germany unites—you want them loose from everything, or do you want them tied to an alliance, so they don’t have an independent military? What would an independent Germany that goes nuclear do to the peace of the world two generations from now?” So I think it was important to keep NATO.⁵

Such views were by no means idiosyncratic. Indeed, people like Biden would not have expressed them unless they were widely shared within the U.S. foreign policy establishment. And such views were quite common in Europe as well. The best short analysis of the issue I ever came across, in fact, was in an article by the French political scientist Pierre Hassner, and I think Hassner got the nuances exactly right:

To balance Russian power [Hassner wrote] and provide a Western framework for Germany's energies, to protect Germany both from Russia and from herself, to prevent both from attempting, either jointly or individually, to gain hegemony over the continent; this is the essence of the Atlantic alliance. This is why the presence of American troops in Germany in their double, primarily protective but also, discreetly, controlling function is the one tangible expression of the alliance whose disappearance would directly and fundamentally transform the structure of the continent.⁶

The whole idea that Germany needed to be “controlled” thus was clearly a major factor in the thinking of key policymakers in the main western countries, even at the end of the Cold War. But “keeping Germany down” (to use a phrase from the famous remark attributed to Lord Ismay, the first Secretary-General of NATO, about the threefold function of the Alliance) was by no means the central goal—that is, something which in itself largely explains why NATO was kept intact in the post-Cold War period.⁷ There was a more fundamental goal that had to do with keeping Germany part of the West—of first making and then keeping that nation part of the western world, so that Germany would become an essentially western country. For that to happen, the western system had to remain intact in all its dimensions—

³ Scowcroft interview with Philip Zelikow and others, November 12-13, 1999, George H.W. Bush Oral History Project, Miller Center, University of Virginia ([link](#)), p. 76. Emphasis added.

⁴ Senate Committee on Foreign Relations, “The Debate on NATO Enlargement,” October-November 1997 ([link](#)).

⁵ Jack Matlock: The US is not the Victor of the Cold War,” January 19, 2017 ([link](#)) at 20 minutes, 40 seconds.

⁶ Pierre Hassner, “The American World Power and the Western European Powers,” in Karl Kaiser and Hans-Peter Schwarz, eds., *America and Western Europe* (Lexington, Mass.: Heath, 1977), pp. 335-36.

⁷ Ismay is supposed to have said that the purpose of NATO was “to keep the Soviets out, the Americans in, and the Germans down.”

economic, cultural, political and military—and the central pillar of that system was the U.S. military presence in Europe in general and in Germany in particular.

That broader goal was present practically from the start, with the adoption by the western powers in 1946 of what was called the “western strategy” for Germany. This was the idea that *western* Germany would be “organized” under the aegis of the three *western* powers, and that it would be tied to the *western* world, first economically, then politically, and finally militarily—that western Germany would be embedded in the western system and would, chameleon-like, take on the political coloration of the western world as whole. Germany would eventually be treated as an equal (or really almost equal) partner; the system would not rest ultimately on coercion (as the “keeping Germany down” philosophy implied), but would have a much broader basis. Napoleon once said that nothing permanent can rest solely on force; with this approach, a Germany tied to the West would rest essentially on consent, since being accepted into the West not only shielded the Federal Republic from the Soviet threat, but was in large measure a form of moral rehabilitation—something of great value to the Germans, given all that had happened during the Nazi period. It was that broader system that people like Bush very much wanted to preserve. And that system was based on the American presence in Europe—Britain and France by themselves, even together, were just not strong enough to provide the basis for such a system.

So it is a mistake, I think, to interpret the Bush policy in terms of a desire on the part of the U.S. government to acquire as much power as possible. American hegemony in Europe was not an end in itself. It was a by-product of a policy pursued for a very different reason—a policy designed above all to create a stable political system in Europe. When you study the Kennedy period especially, you come away with the sense that the Americans took on the imperial burden reluctantly. They had come to the conclusion that the Europeans could not do the job themselves—that the only way to create an effective counterweight to Soviet power in Europe without at the same time allowing the Germans to go nuclear was to maintain a system based on a strong American military presence on the continent. But if they were in a sense trapped there, they felt entitled to ask for certain things in return. The problems with the Soviets, as the Berlin crisis demonstrated, could conceivably lead to war; and if the Americans were putting their necks on the chopping block they wanted to have the main say in how the western side of the east-west relationship was managed. As Kennedy’s national security advisor McGeorge Bundy put it in 1962: “We are bound to pay the price of leadership. We may as well have some of its advantages.”⁸

At any rate, the notion that it was important to “keep Germany down” does not, I think, provide the key to understanding why the Bush administration pursued the policy it did at the end of the Cold War. It’s clear, to my mind at least, that the policy had a much broader basis.

8. Bundy outline for Kennedy's talk to the NSC, January 17, 1962, Declassified Documents Reference System, 1991 collection, doc. 3578. For further discussion, see Trachtenberg, *Constructed Peace*, p. 303.

Appendix IV: The Pre-Armistice Agreement of November 1918 and its Fate

The Germans laid down their arms in 1918 on the basis of an assurance given by U.S. President Woodrow Wilson, speaking for the Allied governments as a whole, that the peace would be based on his Fourteen Points speech and subsequent wartime addresses, subject to only two qualifications. That assurance was given to the Germans in a note sent on November 5, 1918.¹

One of the qualifications outlined in that note related to the provision in the Fourteen Points speech about how invaded territories had to be “restored as well as evacuated and freed.” “The Allied Governments,” the Germans were told, “feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the civilian population of the Allies and their property by the aggression of Germany by land, by sea and from the air.”

This was technically a unilateral assurance—in effect, a formal offer to conclude an armistice on the basis. There was no signed agreement reflecting Germany’s formal acceptance of these terms, nor did the Germans even respond with a note of their own formally accepting the allies’ terms. But the German act of “sending representatives through military channels, to meet with” the Allied commander-in-chief “for the purpose of arranging an armistice” was taken as constituting an acceptance of the Allied offer, and Wilson’s assurance was in any event subsequently treated by both sides as a binding promise.²

Did the allies renege on that promise? At the Paris Peace Conference in 1919 the British especially initially sought to demand that the Germans reimburse the Allies for the costs of the war. Their argument was that since the taxpayers had to pay for the war, and the taxpayers were civilians, war costs were a “civilian” damage. The Americans, however, successfully resisted the proposal that Germany be made to reimburse the Allies for the costs of the war with the argument that the passage about *civilian* damages in the pre-armistice agreement clearly referred to something much narrower. But when the British then insisted that pensions be included in the bill, Wilson agreed to do so, despite the fact that his own advisors pointed out that the same logic that had ruled out war costs should also rule out pensions. “Logic! Logic! I don’t give a damn for logic,” he exclaimed. “I am going to include pensions!”³ It should also be noted that the British prime minister, David Lloyd George, also believed that the pre-armistice agreement ruled out pensions, but pressed hard for their inclusion anyway.⁴

All this, as many scholars have noted, had disastrous consequences in the interwar period. The Germans deeply resented the fact that the Allies had not honored the pre-armistice agreement. Among other things, this implied that the Versailles settlement had no moral validity in their eyes, and that they were justified in seeking to overthrow it.

¹ Lansing to the Swiss Minister, Sulzer, November 5, 1918, U.S. Department of State, *Foreign Relations of the United States 1918*, Supplement I, vol. 1 ([link](#)), pp. 468-469.

² See Harry Rudin, *Armistice 1918* (New Haven CT: Yale University Press, 1944) ([link](#)), pp. 318-19, 396; and (for the quotation) H.W.V. Temperley, ed., *A History of the Peace Conference of Paris*, vol. 1 (London: Oxford University Press, 1920), p. 382 ([link](#)).

³ Quoted in Thomas Lamont, “Reparations,” in Edward House and Charles Seymour, eds., *What Really Happened at Paris* (New York: Scribner, 1921), p. 272.

⁴ See Antony Lentin, *Lloyd George, Woodrow Wilson and the Guilt of Germany: An Essay in the Pre-History of Appeasement* (Baton Rouge: Louisiana State University Press, 1985), pp. 12, 14, 28.