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THE ALLIED MILITARY GOVERNMENT
OF GERMANY

BY THE SAME AUTHOR

**THE CONTRIBUTION OF ENGLISH EQUITY TO THE IDEA OF AN
INTERNATIONAL EQUITY TRIBUNAL. (1935)**

WHAT'S WRONG WITH INTERNATIONAL LAW ? (1941)

WORLD REVOLUTION AND THE FUTURE OF THE WEST. (1942)

THE CRISIS OF THE NATIONAL STATE. (1943)

LEGAL THEORY. (1944)

THE ALLIED
MILITARY GOVERNMENT
OF
GERMANY

BY

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P R E F A C E

WELL over two years of Military Government have elapsed. Its main problems and complexities have become apparent, as well as its vital international significance. Before the end of the year, the fateful choice between a world united, or divided into antagonistic blocs, may be made. The development of Germany, under Allied Military Government, cannot but be a vital and particularly critical factor in this decision. This lends increased significance to the forthcoming London Conference of the Foreign Ministers of the four allied Powers.

The present book attempts a critical analysis of the main functions and problems of Military Government. Despite the many admirable discussions of specific problems, in the leading organs of the British and American Press, a comprehensive account and criticism of this extremely complex mechanism is probably impossible without prolonged inside experience.

My association with Military Government lasted for nearly two years, from the beginning of May, 1945 (apart from eighteen months' preparatory work on the administration of Germany, in the Political Intelligence Department of the Foreign Office). It led, from headquarters and field work in the Legal and Economic Divisions of Shaeff, to an assignment as adviser on German economic administration to American Military Government, and, from there, to the direction of the German Organisation Branch of the Economic Sub-Commission, in the British Control Com-

mission (later merged in the British-U.S. Bipartite Economic Control Group). Several visits to the French and Russian zones gave me some first-hand, though naturally much more limited knowledge of these two zones, supplemented by many first-hand reports, both official and non-official.

My German background made it easy to make numerous and varied contacts outside the official sphere. I have also lectured at Universities as well as to general audiences and working-class organisations.

It is nevertheless impossible to do full justice to the manifold activities and problems of Military Government in a book of this compass, written for the intelligent student of international affairs. Such a task must be left to future historians who will write with greater distance and fuller documentary material. The present book concentrates on the most critical and acute aspects. Despite the obvious difficulties it covers the four zones. Anything else would fail to bring out the vital inter-allied and international aspects of the problem.

If the book is strongly critical, this is in no way to belittle or disparage the great and sometimes heroic efforts made by many military and civilian administrators of all the allied nations. Despite all the disappointments, one retains the consciousness of values and purposes shared with a large number of both allied colleagues and Germans, above the ravages of the war and the Nazi regime. In this lies one of the few real hopes for the future.

This book aims at the utmost objectivity in criticism; but it is equally necessary to be clear about the values one assumes. Three convictions, above all, underlie the critical part of this book: first, the belief in the need for an international conception of the post-war world and the consequent futility of considering Germany in mental or

physical isolation from international reconstruction; secondly, the conviction that neither disarmament nor denazification nor the restoration of political democracy in Germany are possible without a decisive shift in the social structure of Germany; thirdly, the conviction that Great Britain had, and still has not entirely lost a unique opportunity in Germany, because her general policy of combining political democracy with moderate socialism is not only a solution necessitated by conditions in Germany, but the only one acceptable to a majority of Germans. It is because of the failure of British Military Government, for a variety of reasons, to live up to this opportunity that criticism of various aspects of British Military Government policy is particularly detailed.

The documentary section appended to the text is meant to give a representative selection of the most important official sources. Frequent reference is made to them in the text. Quite apart from restrictions of space, which have limited the selection, no reader of this book need be reminded that the picture of Military Government which emerges from official documents is neither complete nor always accurate.

The responsibility for all facts and opinions put forward in this book is entirely my own.

I have, however, greatly profited from the invaluable advice and criticism of a number of friends, all particularly qualified and experienced in the problems with which this book deals.

Mr. R. A. Chaput de Saintonge, Mr. W. Fliess, Dr. O. Kahn-Freund, Mr. H. J. Klare, Dr. D. Mende, Mr. N. Reddaway and Mr. Duncan Wilson as well as the editors of this series have all read the whole or part of the proofs and made many valuable suggestions.

Finally, I should like to thank both the publishers and the printers for producing this book with the minimum delay possible under present-day conditions. This has enabled me to note developments up to the middle of August.

W. FRIEDMANN.

LONDON
August, 1947.

THE MAJOR POLITICAL DIVISIONS OF GERMANY



1. The boundaries of Germany before 1938.
 2. The boundaries of the Zones of Occupation.
 3. The boundaries of the new Länder as organized in each of the Zones of Occupation.
 4. The boundaries of the German Länder and Prussian Provinces (where not coincident with new Länder boundaries).
 5. Boundary between Russian Zone and Polish Administered Area.
- Numbers indicate Prussian Provinces and the Länder:
- Provinces of Prussia are:—(1) Berlin, (2) Brandenburg, (3) Pommern, (4) Grenzmark, (5) Niederschlesien, (6) Oberschlesien, (7) Sachsen, (8) Schleswig-Holstein, (9) Hannover, (10) Westfalen, (11) Rheinland, (12) Kurhessen-Nassau, (13) Hohenzollern, (14) Ost-Preussen.

Other Länder are:—(15) Bayern with Pfalz, (16) Württemberg, (17) Baden, (18) Mecklenburg-Schwerin, (19) Thüringen, (20) Hessen, (21) Oldenburg, (22) Braunschweig, (23) Anhalt, (24) Lippe, (25) Schaumburg-Lippe, (26) Hansestadt Hamburg, (27) Hansestadt Bremen, (28) Sachsen, and (29) Saar.

Names indicate the Zones of Occupation and the new Länder as follows:—

British Zone:—Schleswig-Holstein, Niedersachsen, Nordrhein-Westfalen, Hamburg.

U.S. Zone:—Bayern, Hessen, Württemberg-Baden, Bremen and Wesermünde.

French Zone:—Saar, Rheinpfalz, Württemberg-Baden.

U.S.S.R. Zone:—Mecklenburg-Vorpommern, Brandenburg, Sachsen-Anhalt, Sachsen, Thüringen.

BIBLIOGRAPHICAL NOTE

By far the most important source of reference, so far, are official publications

1 A Monthly Report of the Control Commission (British Element) supplemented by a Monthly Statistical Bulletin (the former on sale at H M Stationery Office), gives detailed reports and statistics for the British Zone, and brief reports about the other Zones

2 The Military Government *Gazette* (eighteen numbers up to date) publishes all legislative measures taken by the Allied Control Council and British Military Government

3 A critical survey of developments (up to July, 1946), based on comprehensive evidence by senior officials of the British Control Commission, is given in the Second Report from the Select Committee on Estimates appointed by the House of Commons.

4. Most British daily and weekly newspapers have reported fully and accurately on the Allied Military Government, from the Summer of 1945 onwards

The most easily accessible record of developments in all spheres of Military Government (in particular the political, economic and financial spheres) is through the index of the *Economist*, published half-yearly (with every volume)

5 Contributions on specific aspects of Military Government have been few so far, as they usually presuppose inside experience

On the structure and function of the Control Council Machinery, see—

A Whyte, *Quadrupartite Rule in Berlin*, International Affairs, January, 1947,

C. P Harvey, *National Review*, March, 1947.

For a brief comparative analysis of Military Government, see—

W Friedmann, *The Fortnightly*, April and May, 1947

On legal and administrative problems, see—

Ingrams, *Quarterly Review*, April, 1947,

R Y. Jennings, *British Year Book of International Law*, 1946

On the regional changes—

R. E Dickinson, *Germany's Frontiers*, in *World Affairs*, July, 1947

On the economic position, see—

The World Today (Chatham House), July, 1945 (survey of economic structure of Germany)

Pep Broadsheet No 256 (October, 1946), on the Ruhr and Europe

The World Today (August, 1947) on Germany's part in Europe's Dollar Crisis

6 Some general aspects of Germany under Military Government are covered by recent books Among them are—

Russell Hill, *Struggle for Germany*, 1947,

V. Gollancz, *In Darkest Germany*, 1947,

T. Mende, *Europe's Suicide in Germany*, 1947.

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